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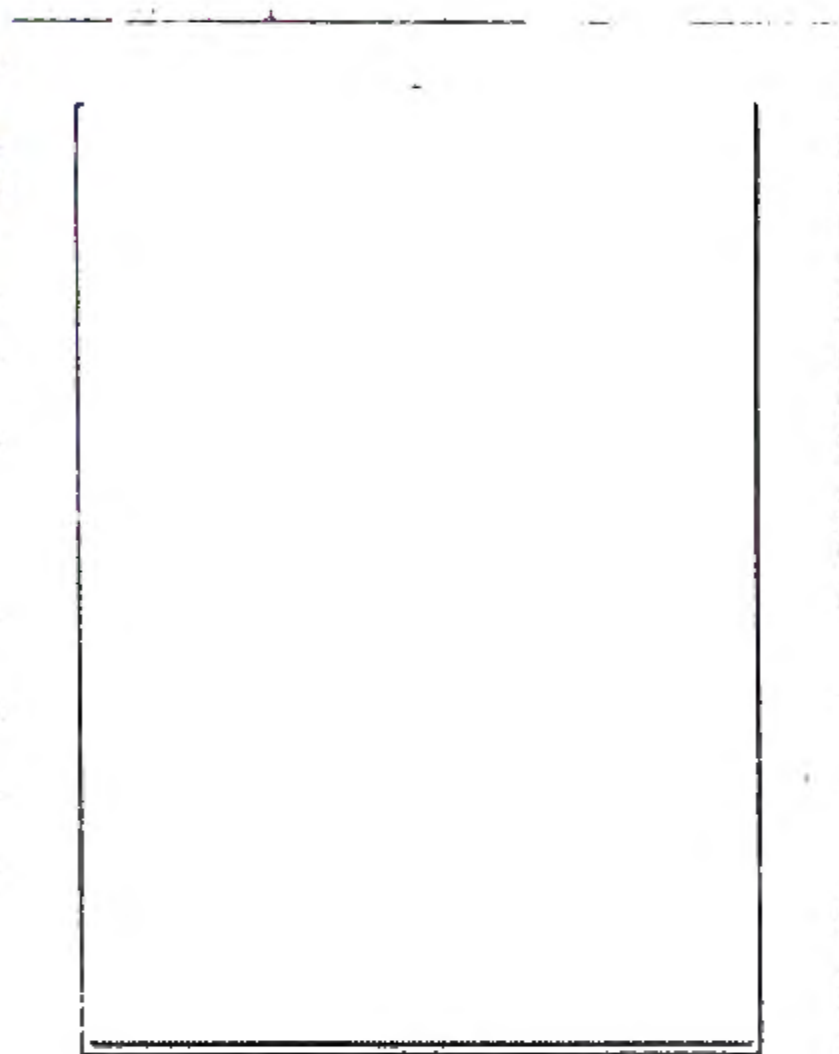
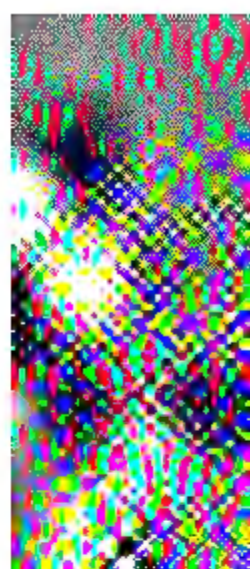
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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF MICHIGAN.

1851.

Printed by virtue of an Act of the Legislature, under the supervision and direction of

D. P. BUSHNELL,

CLERK OF THE HOUSE OF REPRESENTATIVES.

LANSING:

R. W. INGALLS, STATE PRINTER.

.....
1851.

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HOUSE JOURNAL.

Lansing, February 5, 1861. 1

This being the day designated by the constitution for the meeting of the Legislature, the Representatives met in their Hall, and were called to order by the Hon. Calvin Britain, of Berrien county, who was appointed, on the motion of the Hon. Thomas B. Church, of Kent, Speaker *pro tempore*.

On motion of Hon. Noah H. Hart,

Daniel P. Bushnell was appointed Clerk *pro tempore*.

On motion of Hon. Thomas B. Church,

Alfred W. Johnson was appointed Sergeant-at-arms *pro tempore*.

The roll of members elect was then called by the Clerk *pro tempore*, when the following members appeared and answered to their names:

Allegan—Oka Town.

Berrien—John W. Butterfield, Calvin Britain.

Branch—Solomon L. Lawrence, Roland Root.

Calhoun—Darius Clark, Nathan Pierce, John S. Balcombe.

Cass—George Sherwood, William L. Clyburn.

Chippewa—John Bacon.

Critton—David Clark.

Eaton—Horatio Hall.

Genesee—Charles N. Beecher.

Hilledale—William R. Montgomery, Charles Gregory.

Ingham—John S. Crossman.

Ionia—D. L. Case.

Jackson—Freeman C. Watkins, John P. Hitchins, Jerome B. Eaton.

Kalamazoo—Ezra Stetson, Barney Earl.

Kent and Ottawa—Thomas B. Church, Thomas W. Ferry.

Lapeer—Noah H. Hart.

Lenawee—Henry Darling, George Crane, Elias J. Baldwin, Augustus W. Childs, Thomas Gray.

Livingston—Ralph Fowler, Spaulding M. Case.

Mackinac—John D. Irvine.

Macomb—David Shook, Sanford H. Corbin, George Chandler.

Monroe—Jefferson G. Thurber, Eleazer Barnes, Patrick Carrigan.

Oakland—James Patterson, Sardes F. Hubbell, Pascal D. Warner, Melancton W. Hicks, Hiram Voorhies, Lewis M. Covert.

Saginaw—John W. Turner.

Shiawassee—Ebenezer C. Kimberly.

St. Clair—James L. Smith, Joseph P. Minnee.

St. Joseph—Alexander H. Moore, Jonathan G. Wait.

Van Buren—Morgan L. Fitch.

Washtenaw—Jarvis E. Marvin, Wm. Warner, Calvin Wheeler, Aaron Truesdell, John K. Yocum.

Wayne—Benjamin F. Hyde, Jonathan Shearer, Levi Eaton, Alfred B. Gulley, Jared Sexton, George Martin.

On motion of Mr. Irvine,

A committee of two was ordered to be appointed to wait on the Lieutenant Governor and invite him to administer the oath of office to the members elect.

The Speaker *pro tempore* appointed Messrs. Irvine and Butterfield as such committee, who, after a short absence, returned and reported that they had discharged the duty assigned them, and that the Lieutenant Governor was in attendance.

All the members who had answered to their names then subscribed and took the constitutional oath.

Mr. Turner moved that Alanson Calkins be sworn in as a member of this House from the county of Tuscola, and that Henry M. Moore be sworn in as a member from the county of Montcalm, they having each presented their credentials, which,

On motion of Mr. Church,

Was laid on the table.

Mr. Hart offered the following resolution:

Resolved, That the rules of the last House of Representatives be adopted until otherwise ordered.

Mr. Fitch offered the following as a substitute, which was accepted by Mr. Hart, and the substitute adopted:

Resolved, That the rules of the House of Representatives, the joint rules of the Senate and House of Representatives, and the rules of the Senate and House of Representatives in joint convention of the Legislature of 1851, shall govern the proceedings of this House until otherwise ordered.

On motion of Mr. Warner,

The House adjourned to meet at 2 o'clock P. M.

Afternoon Session.

The House was called to order at 2 o'clock P. M. by the Speaker *pro tem.*

The roll was called by the Clerk *pro tem.*, and a quorum present.

On motion of Mr. Church,

The House then proceeded to elect a Speaker, with the following result:

FOR JEFFERSON G. THURBER:

Mr. Barnes,	Mr. L. Eaton,	Mr. Minne,
Britain,	Fitch,	Moore,
Butterfield,	Fowler,	Patterson,
Carrigan,	Gregory,	Sexton,
D. L. Case,	Gulley,	Shearer,
S. M. Case,	Hart,	Sherwood,
Chandler,	Hicks,	Shook,
Childs,	Hitchins,	Smith,
Church,	Hubbell,	Town,
David Clark,	Hyde,	Turner,
Corbin,	Irvine,	Voorhies,
Covert,	Lawrence,	P. D. Warner,
J. B. Eaton,	Martin,	Watkins,

FOR NATHAN PIERCE:

Mr. Bacon,	Mr. Earl,	Mr. Root,
Balcombe,	Ferry,	Stetson,

Baldwin,
Beecher,
Darius Clark,
Clyburn,
Crane,
Crossman,

Gray,
H. Hall,
Kimberly,
Marvin,
Montgomery,

Truesdell,
Waite,
W. Warner,
Wheeler,
Yocum,

22

FOR JOHN BACON:

Mr. N. Pierce:

1

FOR CALVIN BRITAIN:

Mr. Thurber,

1

And Jefferson G. Thurber having received a majority of all the votes, was declared duly elected Speaker of the House of Representatives.

On motion of Mr. Hart,

A committee of two was ordered to be appointed to inform Mr. Thurber of his election, and to conduct him to the chair.

The Speaker *pro tempore* appointed Messrs. Hart and Fitch, who performed that duty.

The Speaker, on taking the chair, addressed the House as follows:
Gentlemen of the House of Representatives:

I am profoundly sensible of the honor which you, unsolicited on my part, have conferred upon me, in the selection of one from your number to preside over your deliberations.

The enacting of new laws conforming to the present constitution the apportionment of our national and state representation, and the adoption of general and local laws, demanded by the best interests of the commonwealth, impose upon the present legislature a labor truly herculean.

Considering the limited period of the session, a well-founded hope of the accomplishment of these ends, so necessary and desirable, can alone be found in concord, in counsel, great mental labor and untiring industry.

Distrusting my own ability to discharge properly the high duties devolved upon me, yet confidently relying on your cordial and efficient co-operation to sustain me when right, and apply the proper correction when wrong, I assume the responsibilities of the chair.

On motion of Mr. Hart,

The House proceeded to elect a chief Clerk, with the following result:

FOR DANIEL P. BUSHNELL:

Mr. Barnes, Britain, Butterfield, Carrigan, D. L. Case, S. M. Case, Chandler, Church, David Clark, Corbin, Covert, J. B. Eaton, L. Eaton,	Mr. Fitch, Fowler, Gregory, Gulley, Hart, Hicks, Hitchins, Hubbell, Hyde, Irvine, Lawrence, Martin, Minne,	Mr. Moore, Patterson, Sexton, Shearer, Sherwood Shook, Smith, Town, Turner, Voorhies, P. D. Warner, Watkins, Speaker,
		39

FOR Z. B. KNIGHT:

Mr. Bacon, Balcombe, Baldwin, Beecher, Childs, Darius Clark, Clyburn, Craue,	Mr. Crossman, Earl, Ferry, Gray, H. Hall, Kimberly, Marvin, Montgomery,	Mr. Pierce, Root, Stetson, Truesdell, Waite, W. Warner, Wheelat, Yocum,
		24

And Daniel P. Bushnell was declared duly elected Clerk of the House of Representatives.

On motion of Mr. P. D. Warner,

The House then proceeded to the election of enrolling and engrossing clerk, as follows:

FOR WM. W. PHELPS:

Mr. Barnes, Britain, Butterfield, Carrigan, D. L. Case, S. M. Case, Chandler, Church, David Clark, Corbin, Covert, J. B. Eaton, L. Eaton,	Mr. Fitch, Fowler, Gregory, Gulley, Hart, Hicks, Hitchins, Hubbell, Hyde, Irvine, Lawrence, Martin, Minne,	Mr. Moore, Patterson, Sexton, Shearer, Sherwood, Shook, Smith, Town, Turner, Voorhies, P. D. Warner, Watkins, Speaker,
		39

FOR WM. F. BQTH.

Mr. Bacon, Balcombe,	Mr. Crossman, Earl,	Mr. Pierce, Root,
-------------------------	------------------------	----------------------

Baldwin,
Beecher,
Childs,
Darius Clark,
Clyburn,
Crane,

Ferry,
Gray,
H. Hall,
Kimberly,
Marvin,
Montgomery,

Stetson,
Truesdell,
Waite,
W. Warner,
Wheeler,
Yocum, 24

Whereupon, Wm. W. Phelps was declared duly elected enrolling and engrossing clerk.

Senators Bowne and Hayden were announced as a committee on the part of the Senate, who informed the House the Senate had organized, and was ready to proceed to business.

Mr. Britain moved that the House now proceed to elect a Sergeant-at-Arms. Agreed to.

And the vote stood as follows:

FOR ALFRED W. JOHNSON:

Mr. Barnes,
Britain,
Butterfield,
Carrigan,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Corbin,
Covert,
J. B. Eaton,
L. Eaton,

Mr. Fitch,
Fowler,
Gregory,
Gulley,
Hart,
Hicks,
Hitchins,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Minne,

Mr. Moore,
Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
Voorhes,
P. D. Warner,
Watkins,
Speaker, 39

FOR ELISHA BREWSTER:

Mr. Bacon,
Balcombe,
Baldwin,
Beecher,
Childs,
Darius Clark,
Clyburn,
Crane,

Mr. Crossman,
Earl,
Ferry,
Gray,
H. Hall,
Kimberly,
Marvin,
Montgomery,

Mr. Pierce,
Root,
Stetson,
Truesdell,
Waite,
W. Warner,
Wheeler,
Yocum, 24

Alfred W. Johnson was then declared duly elected Sergeant-at-Arms.

Mr. J. B. Eaton moved that the House now proceed to elect an Assistant Clerk. Lost.

Mr. P. D. Warner offered the following resolution:

Resolved, That the Speaker be authorized to appoint three Mes-

sengers to attend upon the sittings of this House, at a salary of one dollar per day, and also one Fireman at a salary of two dollars per day.

Which Mr. Pierce moved to amend by striking out "three," and inserting "two."

Mr. Turner moved to amend Mr. Pierce's amendment by inserting "four."

Which was lost.

Mr. Hart moved that "three" be inserted.

Pending the question on which,

A committee on the part of the Senate was announced, consisting of Senators Shoemaker and Roberts, who informed the House that the Senate had made a nomination for United States Senator, and were ready to meet the House in joint Convention, and to compare nominations.

The question was then taken on the motion of Mr. Hart, and it prevailed, and

The resolution as amended was adopted.

The following message was announced by the Speaker:

SENATE CHAMBER,
Lansing, February 5, 1851. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform the House that the Senate have appointed Senators Harvie and Dickey a committee on the part of the Senate, to join a like committee on the part of the House, to wait on the Governor, and inform him that the two houses are now organized and ready to proceed to receive any communication he may have to make.

Respectfully, &c.,

O. W. MOORE,
Sec'y of Senate, pro tem.

On motion of Mr. Fitch,

A committee of two was ordered to be appointed to wait on the Senate, and to act with the committee appointed by that body, to wait on the Governor and inform him that the two Houses were organized, and ready to proceed to business.

Messrs. Fitch and Turner were appointed by the Speaker such

committee, who, after a short absence, returned and reported that they had discharged the duty assigned them, and had received for answer from the Governor, that he would immediately communicate with the two Houses in writing.

Mr. Hart offered the following resolution, which was adopted:

Resolved, That the Secretary of State be directed to furnish each member, for use during the session, with a copy of the Revised Statutes of 1846, and a copy of the Session Laws of the years 1846, '47, '48, '49 and '50, and a copy of the journals and documents of the last session of the Legislature, and also of the new constitution.

A message in writing was then received from the Governor by the hands of his private Secretary; and the reading thereof having been commenced by the Clerk,

Mr. Britain moved that the further reading of the same be dispensed with, and that it be laid on the table and ordered printed. Agreed to.

Mr. Fitch moved that the House do now proceed to nominate a United States Senator to serve for six years from and after the fourth of March next. Agreed to.

The Speaker then announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 5, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit herewith a concurrent resolution relative to the joint rules of the two Houses and rules in joint convention, which the Senate have adopted, and request respectfully that the House concur therein.

O. W. MOORE,

Secretary Senate, pro tem.

The said concurrent resolution, which was as follows, was then adopted:

Resolved, (the House of Representatives concurring,) That the Joint Rules, and Rules in Joint Convention, as printed in the Manual of the last session, be adopted until otherwise ordered.

The House then proceeded to nominate a United States Senator

and when the roll was called the Representatives severally rose in their places and voted as follows:

FOR LEWIS CASS:

Mr. Bacon,	Mr. Fitch,	Mr. Moore,
Britain,	Fowler,	Patterson,
Butterfield,	Gregory,	Sexton,
Carrigan,	Gulley,	Shearer,
D. L. Case,	Hart,	Sherwood,
S. M. Case,	Hicks,	Shook,
Chandler,	Hitchins,	Smith,
Church,	Hubbell,	Town,
David Clark,	Hyde,	Turner,
Corbin,	Irvine,	Voorhies,
Covert,	Lawrence,	P. D. Warner,
J. B. Eaton,	Martin,	Watkins,
L. Eaton,	Minne,	Speaker, 39.

FOR JOSEPH R. WILLIAMS:

Mr. Balcombe,	Mr. Earl,	Mr. Root,
Baldwin,	Ferry,	Stetson,
Beecher,	Gray,	Truesdell,
Childs,	H. Hall,	Waite,
Darius Clark,	Kimberly,	W. Warner,
Clyburn,	Marvin,	Wheeler,
Crane,	Montgomery,	Yocum,
Crossman,	Pierce,	23

FOR EPAPHRO. RANSOM:

Mr. Barnes,	1
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And Lewis Cass having received a majority of all the votes was declared duly nominated by the House as Senator in Congress.

Mr. Britain offered the following:

Resolved, That a committee of two be appointed to inform the Senate that the House of Representatives have nominated a candidate for Senator in the Congress of the United States, and that the House are now ready to meet the Senate in joint convention and compare nominations. Adopted.

And the Speaker appointed Messrs. Britain and Church as such committee, who, after a short absence, returned and reported that they had discharged the duty assigned them.

Mr. Hart offered the following resolution, which was adopted:

Resolved, That the hour of meeting of this House shall be ten o'clock, A. M., until further ordered.

Mr. Turner announced that the Hon. Salmon C. Hall, the member

elect from the county of Barry, was in attendance, who thereupon appeared at the Clerk's desk, took and subscribed the constitutional oath, and took his place as a member of the House.

The Hon. the Senate of the State was then announced, and the Senators conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The Joint Convention was called to order by the President of the Senate.

The roll of the Senate was called by the Secretary *pro tempore* thereof, and the Senators were all present except Senators French and Riley.

The roll of the House was called by the Clerk thereof, and the members all answered to their names.

The President announced that the two Houses had met in Joint Convention to compare nominations for the office of Senator in Congress, and that the Senate had nominated Lewis Cass for said office.

And the Speaker of the House of Representatives announced that Lewis Cass had been nominated on the part of the House for Senator in Congress.

Mr. Britain then offered the following resolution:

Resolved by the Senate and House of Representatives of the State of Michigan, in joint convention assembled, That Lewis Cass be and he is hereby declared elected to the office of Senator in Congress for this State, for the term of six years, commencing on the 4th of March next.

Adopted; when,

On motion of Senator Dort,

The convention adjourned sine die.

O. W. MOORE,
Secretary Senate pro tempore.

D. P. BUSHNELL,
Clerk House of Reps.

The House was called to order by the Speaker, who announced that the two Houses, in joint convention, had elected Lewis Cass to the office of Senator in Congress, to serve for six years from and after the 4th of March next.

On motion of Mr. Hart,

The House adjourned.

Lansing, Thursday, February 6, 1851.

The House was called to order by the Speaker.

The roll was called, and the members all present.

The journal of yesterday was read and corrected.

Mr. Hall, of Barry, asked that his vote might be entered on the journal on the nomination of Senator in Congress, in favor of Lewis Cass.

Agreed to.

The journal was then approved.

The Speaker, in accordance with a resolution of the House, appointed as messengers, Nelson Jones, Harrison Hayden, and James L. Dearing; and for fireman, Charles Matthews.

PETITIONS PRESENTED.

Mr. Church presented the memorial of the Prosecuting Attorney of Kent county, relative to the assessment and collection of taxes in said county.

Ordered laid on the table.

Mr. P. D. Warner, of Edward Guilbault, claiming a seat in the House of Representatives, from the county of Michilimackinac.

Ordered laid on the table.

The Speaker announced the following communication:

Lansing, February 6, 1851.

TO THE HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

SIR:—I have the honor to transmit to the House of Representatives the annual report of the office of the Attorney General.

Very respectfully,

Your obedient servant,

GEO. V. N. LOTHROP,

Late Attorney General.

On motion of Mr. Hart,

The report was laid on the table and ordered printed.

Also the following was announced: 4

ATTORNEY GENERAL'S OFFICE, }
February 5, 1851. }

To the Hon. the Speaker of the House of Representatives:

SIR:—In obedience to the requirements of the constitution, I have the honor to present to the Legislature the accompanying report.

Very respectfully,

WILLIAM HALE,
Attorney General.

On motion of Mr. Turner,

Said report was laid on the table and ordered printed.

Mr. Church moved that twice the usual number of copies be ordered printed.

Agreed to.

Also the following, which,

On the motion of Mr. Shearer,

Was ordered laid on the table and printed.

OFFICE OF THE SECRETARY OF STATE, }
Lansing, February 6, 1851. }

Hon. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

I have the honor herewith to transmit the annual Statistical Report required to be made from this office, by the provisions of the "act to provide for statistical information," approved April 3d, 1849.

Very respectfully yours,

C. H. TAYLOR,
Secretary of State.

On motion of Mr. Shearer,

The following motion of Mr. Turner, offered yesterday, viz: "that Alanson Calkins be sworn in as a member of this House from the county of Tuscola, and that Henry M. Moore be sworn in as a member from the county of Montcalm, they having each presented their credentials," was taken from the table.

Mr. Root moved that the subject be referred to a select committee of five.

Mr. Shearer moved to amend the motion of Mr. Root by adding "and that they be instructed to report to-morrow."

Which, after some discussion, was rejected.

Mr. Fowler moved to amend by adding "and that said committee be instructed to report this afternoon;" which motion prevailed; and

Mr. Root's motion, thus amended, was agreed to.

Mr. Beecher offered the following:

Resolved, (the Senate concurring,) That the State Printer be requested to forward by mail to each newspaper of the State, one copy of the daily journal of the proceedings of the two Houses.

| Ordered laid over one day, under the rule.

Mr. Britain offered the following:

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Post Master at Lansing be and he is hereby authorized to charge to the State the postage on all mail matter received by members and officers of this Legislature, and that this joint resolution shall take effect from and after its passage.

Ordered laid over one day, under the rule.

Mr. P. D. Warner offered the following resolution:

Resolved, That five hundred copies of the daily journals of the Senate and House be printed for the use of the members of the House.

Mr. Hart moved to amend by striking out "five hundred" and inserting "one thousand."

Mr. Irvine moved to amend the amendment of Mr. Hart, by inserting "930" instead of "1000."

Which was accepted by Mr. Hart, and the amendment adopted.

The question was then taken on the resolution as amended, and it was adopted.

Mr. Ferry offered the following resolution:

Resolved, That a committee of four be appointed to wait upon the resident clergy of Lansing, to invite them to open the daily sessions of the House with prayer during the present session of the Legislature.

Mr. Shearer moved that the resolution be amended by adding "and that they be requested to make their prayers as short as possible."

Pending which,

Mr. Hubbell moved that the whole subject be laid on the table.

Agreed to.

Mr. P. D. Warner offered the following resolution, which was adopted:

Resolved, That a committee of five be appointed to draft and report rules for the government of this House; and also a committee of two, to act with a like committee on the part of the Senate, to report joint rules for the government of the two Houses when in joint convention.

Mr. Hart sent up the following resolution, which,

On motion of Mr. Watkins,

Was ordered laid on the table.

Resolved, That 3,000 copies of the revised constitution be printed for the use of members of the House.

Mr. Ferry offered the following resolution:

Resolved, That the Clerk be authorized to issue certificates, to be countersigned by the Speaker, to the members of this House, for their mileage and *per diem* pay, and to the officers of the House certificates, to be countersigned in like manner, for their *per diem* pay.

Adopted.

The Speaker announced the following message:

SENATE CHAMBER,
Lansing, February 6, 1851. }

To the Speaker of the House of Representatives:

SIR—Herewith is transmitted,

A bill to extend the time for the collection of taxes in the township of Jackson, in the county of Jackson,

Which the Senate have passed by a vote of two-thirds of all the members elected, and respectfully ask the concurrence of the House therein.

Very respectfully, &c.,

O. W. MOORE,

Sec'y pro tem.

The bill was once read, and ordered laid on the table.

The Speaker announced the appointment of Messrs. Root, Britain, Turner, Case of Ionia, and Clark of Calhoun, as the select committee on the case of the claim of Messrs. Calkins and Moore to seats as Representatives from the counties of Tuscola and Montcalm.

Mr. Britain moved that 4000 copies of the Executive message be printed for the use of the House.

Agreed to.

On motion of Mr. Irvine,

The House adjourned until 2 o'clock, P. M.

Afternoon Session.

Two o'clock P. M.

The House was called to order by Hon. Mr. Church.

The roll was called, and the members all answered to their names except Mr. Marvin and Mr. Smith.

Mr. Hart offered the following resolution:

Resolved, That the gentlemen from the counties of Tuscola and Montcalm, claiming seats in the House, be admitted to seats, with the privilege of speaking, but not of voting.

Mr. Shearer moved to lay the resolution on the table; which, after some discussion he withdrew.

Mr. Root submitted the following report:

A majority of the committee to whom was referred the claims of H. M. Moore, from the county of Montcalm, and Alanson Calkins, from the county of Tuscola, to a seat in this House, have instructed me to report, that in their opinion they are entitled to seats as members of this House, and your committee ask to be discharged from further consideration of the subject.

R. ROOT, Chairman.

The report was accepted and the committee discharged.

Mr. Irvine moved that Alanson Calkins and H. M. Moore be sworn in as members of this House.

After considerable discussion thereon, by Messrs. Pierce, Shearer, H. M. Moore, and Case, of Ionia, the question was taken, and the motion prevailed.

The Hon. Alanson Calkins, member elect from the county of Tuscola, and the Hon. Henry M. Moore, member elect from the county of Montcalm, then appeared at the clerk's desk and severally took and subscribed the constitutional oath, and took their places as members of the House.

Mr. J. B. Eaton moved to take from the table

A bill to extend the time for the collection of taxes in the township of Jackson, in the county of Jackson.

Which motion prevailed; and said bill had two several readings, when a suspension of the rules was ordered to put the same on its third reading, and it was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Corrigan,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Covert,
Crane,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fowler,
Gray,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Mr. H. M. Moore,
A. H. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Stetson,
Truesdell,
Town,
Turner,
Voothies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

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NAYS.

Mr. Fitch,

Mr. H. Hall,

2

Mr. Irvine, by unanimous consent, introduced

A bill to provide for the payment of the members and officers of the Legislature;

Which was read a first and second time, and

On motion of Mr. Irvine,

Ordered laid on the table and printed.

Mr. Bacon offered the following:

Resolved, That until the standing committees shall be appointed, the division of labor apportioned, and those committees have time for maturing the matter before them, this House will hold but one session per day.

Lost.

Mr. Britain, by unanimous consent, introduced a bill to extend the time for the collection of taxes in the township of Niles, in Berrien county, which was read a first and second time, when

Mr. Britain moved that the rule be suspended, and the bill be now read a third time and put upon its final passage.

The motion prevailed.

The bill was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Ferry,	Mr. Patterson,
Balcombe,	Fowler,	Pierce,
Baldwin,	Gulley,	Root,
Barnes,	S. C. Hall,	Sexton,
Britain,	Hart,	Shearer,
Butterfield,	Hicks,	Sherwood,
Calkins,	Hitchins,	Smith,
D. L. Case,	Hubbell,	Stetson,
S. M. Case,	Hyde,	Truesdell,
Chandler,	Irvine,	Town,
Childs,	Kimberly,	Turner,
Church,	Lawrence,	Voorhies,
Darius Clark,	Martin,	Waite,
David Clark,	Marvin,	P. D. Warner,
Clyburn,	Minne,	W. Warner,
Corbin,	Montgomery,	Watkins,
Crane,	A. H. Moore,	Wheeler,
J. B. Eaton,	H. M. Moore,	Yocum,
L. Eaton,		55

NAYS.

Mr. Fitch,	Mr. Crossman,	2
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Mr. Hubbell made a motion to adjourn, which he withdrew.

Mr. Britain moved that 720 copies of the daily journals of the two houses be ordered printed for the use of this House.

Mr. Pierce moved to strike out "720," and insert "240."

A division of the question was asked and ordered.

And being first taken on striking out, the same was agreed to.

Mr. Shearer then moved that the blank be filled with "480."

Agreed to.

Mr. Hubbell moved to amend by adding, "and that they be equally distributed among the members and officers of this House."

Agreed to.

Mr. Britain's motion, thus amended, prevailed.

Mr. Hubbell then renewed his motion to adjourn.

And the motion prevailed.

Lansing, Friday, February 7, 1850.

The House was called to order by the Speaker.

The roll was called, and the members all answered to their names, except Messrs. Kimberly, Minne and Waite.

The journal was read in part by the clerk; when,

Mr. Hart moved that the further reading thereof be dispensed with.

Agreed to.

The journal was then corrected and approved.

The Speaker announced the following standing committees of the House:

Ways and Means—Messrs. Britain, Fowler, Sexton, Pierce, Marvin.

State Affairs—Messrs. Hyde, Chandler, Barns, Ferry, Earl.

Judiciary—Messrs. Church, Irvine, Hart, Hyde, Montgomery.

Internal Improvement—Messrs. Sherwood, S. M. Case, Hyde, Crane, Waite.

Harbors—Messrs. Butterfield, Minne, Voorhies, Truesdell, Crossman.

Claims—Messrs. Fowler, Watkins, Childs, Yocum, Caulkins.

Elections—Messrs. P. D. Warner, A. H. Moore, Smith, Clyburn, Root.

Federal Relations—Messrs. Hart, David Clark, Gulley, Crane, Balcombe.

Banks and Incorporations—Messrs. D. L. Case, J. B. Eaton, Hart, Waite, Barnes.

Public Lands—Messrs. Shook, Hicks, Town, Darius Clark, Wm. Warner.

Printing—Messrs. Turner, Sherwood, Gregory, L. Eaton, Truesdell.

Education—Messrs. Irvine, Fitch, Covert, Ferry, Beecher.

Engrossment and Enrollment—Messrs. Hubbell, Lawrence, S. C. Hall, Gray, H. Hall.

Agriculture and Manufactures—Messrs. Shearer, Patterson, W. Warner.

Militia—Messrs. Patterson, L. Eaton, Crossman.

Supplies and Expenditures—Messrs. Corrigan, Voorhies, Bacon.

Organization of Towns and Counties—Messrs. Hitchings, Gregory, Stetson.

State Prison—Messrs. J. B. Eaton, Hubbell, Kimberly.

Roads and Bridges—Messrs. Minne, Martin, Baldwin.

State Library—Messrs. S. M. Case, Sexton, Yocum.

Indian Affairs—Messrs. H. M. Moore, Martin, Corbin.

Mines and Minerals—Messrs. Bacon, P. D. Warner, Wheeler.

PETITIONS PRESENTED.

Mr. Turner presented the petition of inhabitants of Saginaw county, asking for an act appropriating certain non-resident highway taxes for improving the Shiawassee river from Chissining to Bad River.

Referred to the committee on roads and bridges.

By Mr. Church: the petition of Joshua Boyer and 80 others, and of Wm. H. McConnell and 87 others, citizens of Kent county, asking for the appointment of a committee of investigation into the appropriation of the 25,000 acres of land given by the State for the construction of a canal around the Rapids of Grand River, at Grand Rapids.

On motion of Mr. Church,

Ordered laid on the table.

Also, of Joseph Penny, James Scribner and Eliphalet H. Turner, asking the passage of an act authorizing them to build the west end of the dam across Grand River, at Grand Rapids, and for other protection of their rights as proprietors.

Ordered laid on the table.

The Speaker announced the following communication from the Auditor General:

AUDITOR GENERAL'S OFFICE, }
Lansing, February 7, 1851. }

To the Hon. the Speaker of the House of Representatives:

SIR—I have the honor herewith to transmit to the Legislature the annual report from this office, prepared by my predecessor, exhibiting the condition of the finances at the close of the last fiscal year.

Yours, respectfully,

JOHN SWEGLES, Jr.,

Auditor General.

The report was referred to the committee of ways and means.

Also the following from the Secretary of State:

OFFICE OF THE SECRETARY OF STATE }
Lansing, February 7, 1851. }

HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

I have the honor to acknowledge the receipt of House resolution "relative to furnishing documents for the use of the House," adopted on the 5th inst., and would say that, in compliance with the requirements of said resolution, I have deposited in the State Library, for distribution, full sets of the documents required for each member.

Very respectfully yours,

C. H. TAYLOR,

Secretary of State.

Also the following:

OFFICE OF THE SECRETARY OF STATE, }
Lansing, February 7, 1851. }

HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

I have the honor to transmit herewith the annual report of the Inspectors of the State Prison, for the year ending November 30, 1850.

Very respectfully yours,

C. H. TAYLOR,

Secretary of State.

Referred to the committee on the State prison.

Mr. Fowler moved that the annual message of the Governor be taken from the table and appropriately referred to the several standing committees of this House.

Mr. Church offered the following resolution as a substitute for the motion of Mr. Fowler:

Resolved, That the following portions of the constitution and of the Governor's message, be referred as follows:

1. Those portions which relate to the organization of courts and the administration of justice, the granting of pardons, exemptions from sale on execution, and the taking of private property for public use, to the committee on the judiciary.

2. Those portions which relate to 'finance and taxation,' including the expenses of the late convention, the public debt and a sinking fund, to the committee on ways and means.

3. Those portions which relate to the election of officers and vacancies in office, (other than Senators, State and Congressional Representatives,) to the committee on elections.

4. Those portions which relate to a State census, the apportionment of Representatives, the formation of Senatorial and Congressional districts, statistical information, navigable streams, and the sale of intoxicating liquors, to the committee on State affairs.

5. Those portions which relate to the militia, to the committee on the militia.

6. Those portions which relate to the State prison, to the committee on the State prison.

7. Those portions which relate to roads and bridges, to the committee on roads and bridges.

8. Those portions which relate to incorporations, to the committee on incorporations.

9. Those portions which relate to education, (other than the establishment of an agricultural school,) to the committee on education.

10. Those portions which relate to agriculture, and the establishment of an agricultural school, to the committee on agriculture and manufactures.

11. Those portions which relate to the division and organization of towns and counties, the powers to be exercised by the boards of supervisors and by townships and township officers, to the committee on the organization of towns and counties.

12. Those portions which relate to manufactures, (other than those to be carried on in the State prison,) to the committee on agriculture and manufactures.

13. Those portions which relate to the public lands, including all lands held by the State for any purpose, to the committee on public lands.

14. Those portions which relate to the public printing, to the committee on printing.

15. That portion of the message which relates to the expenses of the State in the late Mexican war, the expenses of maintaining our territorial boundary, and the subject of a ship canal around the Falls of St. Mary, to the committee on federal relations.

16. That portion of the constitution which relates to claims and a board of State Auditors, to the committee on claims.

17. And that portion of the constitution which relates to internal improvements to be made by the State, to the committee on internal improvements.

The substitute was accepted; and

On motion of Mr. Church,

Ordered laid on the table.

Mr. Hyde offered the following resolution:

Resolved, That the Attorney General be requested to inform this House if, in his opinion, the constitution prohibits the authorizing the translation and printing the Governor's message in any language other than the English.

Adopted.

Mr. P. D. Warner offered the following resolution:

Resolved, That there be added to the standing committees of the House, the following, to consist of five members each:

1st. A committee on Senatorial districts.

2nd. A committee on Congressional districts.

3d. A committee on the apportionment of State representation.

Adopted.

Mr. Britain gave notice that he would on a future day ask leave to introduce a bill to amend "an act to provide for the appraisal of certain lands in Berrien county."

Mr. Hubbell offered the following resolution, which was adopted:

Resolved, That the committee on supplies be instructed to furnish the Speaker, Clerk, and Engrossing and Enrolling Clerk of the House with such amount of stationery as may be necessary for their use during the present session of the Legislature.

Mr. Beecher moved to take up from the table the resolution offered by himself on yesterday, relative to furnishing the newspapers of the State with the daily journals.

Which motion prevailed.

The resolution was then adopted.

On motion of Mr. Hart, it was

Resolved, That the Sergeant-at-Arms be instructed to make all necessary repairs to the tables of members, and other repairs to render the Hall comfortable and convenient during the session.

Mr. Hyde asked the unanimous consent of the House to introduce a bill to extend the time for the collection of taxes in the city of Detroit, for the year 1850.

Consent was given, said bill read twice, when

Mr. Hyde moved a suspension of the rules, in order to put said bill on its final passage.

Which motion prevailed.

Said bill was ordered to a third reading, was so read, and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Ferry,	Mr. Patterson,
Baldwin,	Fowler,	Pierce,
Barnes,	Gray,	Root,
Beecher,	Gregory,	Sexton,
Britain,	Gullev,	Shearer,
Butterfield,	S. C. Hall,	Sherwood,
D. L. Case,	Hart,	Shook,
S. M. Case,	Hicks,	Smith,
Chandler,	Hitchings,	Stetson,
Childs,	Hubbell,	Truesdell,
Church,	Hyde,	Town,
Darius Clark,	Irvine,	Turner,
David Clark,	Kimberly,	Voorhies,
Clyburn,	Lawrence,	Waite,
Corbin,	Martin,	P. D. Warner,
Corrigan,	Marvin,	W. Warner,
Covert,	Minne,	Watkins,
Crane,	Montgomery,	Wheeler,
Crossman,	A. H. Moore,	Yocum,
J. B. Eaton,	H. M. Moore,	Speaker,
L. Eaton,		

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NAYS.

Mr. Fitch,

Mr. H. Hall,

2

Mr. S. M. Case offered the following resolution:

Resolved, That the committee on supplies be instructed to furnish the chairman of each committee of the House with such articles of

stationery as may be necessary for their use during the present session.

Adopted.

Mr. P. D. Warner asked and obtained the unanimous consent of the House to introduce a bill to provide for the better security of the public records.

Said bill was read a first and second time, and referred to the committee on the judiciary.

Mr. Hyde offered the following:

Resolved, That the committee on printing be authorized to employ a reporter for this House, at three dollars per day.

Lost.

Mr. Church moved to take from the table the petition of Edward Guilbault, claiming a seat as a member of this House, and refer the same to the committee on elections.

Agreed to; and the petition so referred.

Mr. Church gave notice that he would on some future day introduce a bill to provide for the collection of taxes in the county of Kent:

Mr. Church offered the following resolution:

Resolved, That Edward Guilbault be admitted to a seat upon the floor of this House, without the privilege of voting.

Adopted.

Mr. Turner moved a reconsideration of the vote by which was adopted a resolution directing the appointment of three select committees for districting the State and apportioning representatives.

Which motion prevailed.

Mr. Church then moved that said resolution be laid on the table.

Agreed to.

Mr. Britain moved a reconsideration of the several votes by which the House ordered the reports of the late Attorney General and the Secretary of State printed.

Which motion prevailed.

Said reports were then, on Mr. Britain's motion, ordered laid on the table.

The House then took up, under the order of unfinished business, the joint resolution relative to postage, offered by Mr. Britain on yesterday.

The resolution was adopted.

Mr. Britain moved a reconsideration of the vote of yesterday on his motion to print 720 copies of the daily journal for the use of the House.

Agreed to.

Mr. Fitch moved that the same be amended by striking out "House" and inserting "people."

Lost.

The question was then taken on the adoption of the resolution, And the same was not agreed to.

Mr. Horatio Hall offered the following resolution:

Resolved, That the State printer be requested to furnish the township clerks of the several townships with the daily journal, during the session.

Mr. Crossman offered the following as an amendment: strike out "daily" and insert "weekly."

Mr. P. D. Warner moved the indefinite postponement of the whole subject. Agreed to.

On motion of Mr. Sherwood,

The House took a recess until 2 o'clock, P. M.

Afternoon Session.

Two o'clock, P. M.

The Speaker called the House to order.

Mr. Church asked and obtained the unanimous consent of the House to introduce

A bill to provide for the payment of the members and officers of the Legislature.

Which was twice read, ordered to be read a third time under a suspension of the rules, on Mr. Church's motion; was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Britain,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gray,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,

Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crossman,
Earl,

Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchins,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

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The Speaker announced the appointment of the following select committees under a resolution of the House:

Messrs. P. D. Warner, Church, Britain, Pierce and Crane, committee to draft and report rules for the government of the House; and

Messrs. Church and Britain, committee to act with like committee on the part of the Senate, to report joint rules for the government of the two Houses in joint convention.

Mr. P. D. Warner offered the following resolution:

Resolved, That hereafter the House will hold but one session per day, and that commencing at 10 o'clock, A. M., until otherwise ordered.

Adopted.

Mr. Ferry, by unanimous consent of the House, introduced the petition of Jas. Hudson, of Polkton, Ottawa county, and 68 others, asking for an act authorizing the sale of the S $\frac{1}{2}$ of N W $\frac{1}{4}$ of section 12, T 7 N of R 14 W, university lands, the value to be ascertained by disinterested appraisers.

Referred to committee on public lands.

On motion of Mr. Hyde,

The House adjourned.

Lansing, Saturday, February 8, 1851.

The Speaker called the House to order.

The roll was called, and the members all answered to their names.

The journal having been read in part by the Clerk.

Mr. Hart moved that the further reading thereof be dispensed with
Agreed to.

PETITIONS PRESENTED.

Mr. S. M. Case presented the petition of Eliza Jane and Catharine Robson, asking for a change of name from Robson to Twitchel.

Mr. P. D. Warner: of H. S. Buel, Daniel Parkhurst and 33 others, asking for a reduction of the price of university lands in Southfield, Oakland county, and asked its reference to the committee on public lands.

It was ordered so referred.

Mr. Montgomery: of Jeremiah Sperry and other inhabitants of fractional township 9, in the county of Hillsdale, for the imposition of a special tax of five mills on the dollar in said town, to improve the Vistula road.

Referred to the committee of ways and means.

REPORTS OF COMMITTEES.

Mr. Church, from the committee on the judiciary, to whom was referred a bill to provide for the better security of public records, reported the same back to the House, with a substitute therefor, recommended its passage, and asked to be discharged from further consideration of the subject.

The report was accepted and the committee discharged.

Mr. Shearer moved a suspension of the rules, and that said bill be put upon its final passage.

Which motion prevailed.

The bill was ordered to a third reading, was so read, and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,

Calkins,
D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crossman,
Earl,
J. B. Eaton,

H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

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Mr. P. D. Warner, from the select committee on the revision of the rules, submitted the following report:

The committee appointed to draft and report rules for the government of the House, have had the same under consideration, and have directed me to report:

That the committee would respectfully recommend the adoption of the rules of the last House of Representatives, with the following amendments, alterations and additions, viz:

Amend rule 7, by adding: "but in all cases the member who shall first arise and address the chair, shall speak first."

Amend rule 8, by adding: "except chairmen of committees upon matters reported by them."

Amend rule 9, by adding between the words "Speaker" and "desire," the words: "or any member."

Amend rule 10, by placing the words "amendment or" before the word "decision;" and also by adding: "but all motions, resolutions or amendments shall be entered at large upon the journal, whether they are withdrawn, rejected or adopted."

Amend rule 13, by adding: "on a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question."

Amend rule 22, by adding: "on the final passage of all bills, the

vote shall be by yeas and nays, and entered upon the journal; and no bill or joint resolution shall be declared passed unless on a vote of a majority of all the members elected to the House."

Amend rule 32, by striking out "a committee on claims," and also by adding: "a committee on agriculture and manufactures;" and also, "a committee on the organization of counties."

Amend rule 33, by striking out "a committee on agriculture and manufactures," and also "a committee on the organization of townships and counties."

Amend rule 37, by striking out the words "of the State convention forming the constitution," and insert: "of the constitutional conventions of the State;" and also, by striking out the words "or the legislative council when, Michigan was a territory," and insert: "or of the legislative council."

Amend rule 38, by adding: "unless otherwise ordered by the House."

Amend rule 39, by adding between the words "day" and "which," "and to number the same;" and also, to strike out the word "entered" and insert "numbered."

And the committee have further instructed me to report, that they have adopted two additional rules to stand as rules 19 and 29, which are as follows, viz: and which are respectfully recommended to the consideration of the House:

RULE 19. No mail shall be distributed in the House; nor shall any newspapers, or other matter foreign to the business of the House, be read within its bar during the sessions thereof.

RULE 29. When notice of the intention to move the reconsideration of any bill or joint resolution shall be given by a member, the Clerk of the House shall retain the said bill or joint resolution until after the time during which the said motion can be made, unless the same shall be previously disposed of.

All which is respectfully submitted.

P. D. WARNER, Chairman.

The report was accepted and the committee discharged.

Mr. Turner moved that the report be laid on the table and printed.

Agreed to.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 7, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to extend the time for the collection of taxes in the township of Niles, in Berrien county,

And to respectfully inform you that the Senate, by a vote of two-thirds of all the Senators elect, have concurred therein. Also to transmit herewith,

A bill to extend the time for the collection of taxes in the township of St. Clair, in the county of St. Clair, for the year 1850,

Which the Senate have passed by a vote of two-thirds of all the Senators elect. Also,

Joint resolution relative to postage,

Which the Senate have passed, and in both of which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,
Secretary of the Senate.

The first named was ordered enrolled.

The second was read twice, and,

On motion of Mr. Smith,

A suspension of the rules ordered, to put it to a third reading.

It was so read, and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gray,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Kimberly,

Mr. H. M. Moore,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,

Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crossman,

Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,

W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

Mr. Fitch,

Mr. H. Hall,

2

The third was read twice, and referred to committee of the whole.

And the following communication from the State Treasurer:

STATE TREASURER'S OFFICE, }
Lansing, February 8, 1850. }

HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

I have the honor to transmit herewith the annual report from this office, required by law, exhibiting the condition of the several funds of this State at the close of the last fiscal year, Nov. 30, 1850, and the condition of the several banks of this State at the time of my annual examination.

Respectfully yours, &c.,

B. C. WHITTEMORE,

State Treasurer.

Referred to the committee of ways and means.

Mr. J. B. Eaton gave notice that he would on some future day ask leave to introduce a bill relative to the State prison.

The Speaker also announced the following communication:

STATE LAND OFFICE, }
Lansing, February 7, 1851. }

HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

SIR—In obedience to the requirements of law, I have the honor to transmit to the House of Representatives the annual report required to be made from this office.

Respectfully your ob't serv't,

PORTER KIBBEE,

Commissioner.

Referred to the committee on public lands.

Mr. P. D. Warner moved to take from the table the report of the select committee on the revision of the rules.

Which motion prevailed.

Mr. Warner then moved that the rules be printed with the report, with the amendments in brackets. Agreed to.

Mr. Fowler moved that the report and amendments be entered on the journal. Agreed to.

When, on motion of Mr. Hubbell,

It was ordered laid on the table.

Mr. S. C. Hall gave notice that on some future day he would introduce a bill for re-assessment of taxes in the township of Baltimore, Barry county.

Mr. Ferry gave notice of an intention to introduce a bill amendatory of act No. 96, of the session laws of 1840, approved March 31, 1840.

Mr. Smith gave notice that he would on a future day ask leave to introduce a bill to attach the county of Sanilac to the fourth judicial district for judicial purposes.

Mr. Crossman, by unanimous consent of the House, introduced
A bill to provide for the assessment and collection of taxes in the town of Lansing, Ingham county;

Which was read twice, and referred to the committee of ways and means.

Mr. Irvine, by unanimous consent, introduced

Joint resolutions relative to Indian claims.

Read twice, ordered laid on the table and printed.

Mr. Hubbell, by unanimous consent, introduced

A bill requiring justices of the peace to renew their official bonds, in certain cases.

Read twice, and referred to the judiciary committee.

Mr. P. D. Warner offered the following resolution:

Resolved, (the Senate concurring,) That whenever any bill is ordered to be printed, that the name of the person introducing the same, or the committee reporting it, shall also be printed with such bill.

Ordered laid over one day under the rule.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval, a bill to extend the time for the collection of taxes in the township of Niles, Berrien county.

Mr. Fowler moved to take from the table the resolution offered

by Mr. Ferry on the 6th inst., relative to the appointment of a committee to wait on the resident clergy of Lansing, to invite them to open the daily sessions with prayer.

Agreed to.

And the question being on the amendment offered by Mr. Shearer, in the following words: "and that they be requested to make their prayers as short as possible,"

Pending which,

Mr. Hubbell moved the indefinite postponement of the whole matter.

Lost, by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Butterfield,
S. M. Case,
Clyburn,
Corrigan,
Covert,
Fitch,
Gray,

Mr. S. C. Hall,
Hicks,
Hubbell,
Hyde,
Martin,
Marvin,
A. H. Moore,
Pierce,

Mr. Root,
Shearer,
Sherwood,
Smith,
Stetson,
Town,
Voorhies,
Speaker,

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NAYS.

Mr. Balcombe,
Baldwin,
Beecher,
Calkins,
D. L. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Corbin,
Crane,
Crossman,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gregory,
Gulley,
H. Hall,
Hart,
Hitchins,
Irvine,
Kimberly,
Lawrence,
Minne,

Mr. Montgomery,
H. M. Moore,
Patterson,
Shook,
Truesdell,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

38

Pending the call of the roll,

Mr. Gray moved that Mr. Crane be excused from voting.

The motion did not prevail.

Mr. Crane then voted in the affirmative.

After the vote was announced, Mr. Crane asked and obtained the unanimous consent of the House to change his vote to the negative.

The question then recurring on the amendment of Mr. Shearer, after considerable discussion by Messrs. Church, Shearer, Hart, Bacon, Fitch, Ferry, Britain and Beecher, the amendment was lost, by the following vote:

YEAS.

Mr. Bacon,	Mr. Corrigan,	Mr. S. C. Hall,	
Barnes,	Covert,	Hyde,	
Butterfield,	Fitch,	Shearer,	9.

NAYS.

Mr. Balcombe,	Mr. Fowler,	Mr. Root,	
Baldwin,	Gray,	Sexton,	
Beecher,	Gregory,	Sherwood,	
Calkins,	H. Hall,	Shook,	
D. L. Case,	Hart,	Smith,	
S. M. Case,	Hicks,	Stetson,	
Chandler,	Hitchings,	Truesdell,	
Childs,	Hubbell,	Town,	
Church,	Irvine,	Turner,	
Darius Clark,	Kimberly,	Voorhies,	
David Clark,	Lawrence,	Waite,	
Clyburn,	Marvin,	P. D. Warner,	
Corbin,	Minne,	W. Warner,	
Crane,	Montgomery,	Watkins,	
Crossman,	A. H. Moore,	Wheeler,	
Earl,	H. M. Moore,	Yocum,	
J. B. Eaton,	Patterson,	Speaker,	
Ferry,	Pierce,		53.

The question then recurring on the resolution offered by Mr. Ferry,

Mr. Gray moved that it be indefinitely postponed, which, after some debate, he withdrew; when

Mr. Britain offered the following amendment:

Add to said resolution: "and such clergymen shall receive for their services such compensation as shall be subscribed by members of the House for that purpose."

The amendment was accepted by Mr. Ferry, and, after some debate.

Mr. Covert moved that the House adjourn. Lost.

The question was then taken on the resolution, as amended, and it was adopted, by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Beecher,
Britain,
Calkins,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Crossman,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gregory,
Gulley,
H. Hall,
Hubbell,
Irvine,
Kimberly,
Lawrence,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,

44

NAYS.

Mr. Bacon,
Barnes,
Butterfield,
D. L. Case,
Corrigan,
Covert,
Crane,
Fitch,

Mr. Gray,
S. C. Hall,
Hart,
Hicks,
Hitchins,
Hyde,
Martin,

Mr. Marvin,
Minne,
Shearer,
Sherwood,
Voorhies,
P. D. Warner,
Speaker,

22

The Speaker, by consent, announced the following message from the Executive:

EXECUTIVE OFFICE.
Lansing, February 8, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

- An act to extend the time for the collection of taxes in the township of Niles, in the county of Berrien.

JNO. S. BARRY.

Mr Church offered the following resolution:

Resolved, That the Commissioner of the Land Office be requested to communicate to this House a statement showing the amount that has been paid to the contractor upon the canal around the Rapids of Grand River, since the fifteenth of January, 1850, the time when the different payments were made, and the amount of each, and how said payments were made; the amount of the original appropriation yet unexpended; and also a statement of the different estimates of

the work done on said canal, sent in to the State Land Office since the said fifteenth day of January, 1850; when and by whom made; the payments made on said estimates, and to whom made; and also, whether patents have been issued, and to whom, for the lands thus paid out.

Adopted.

On motion of Mr. J. B. Eaton,

The House adjourned.

Lansing, Monday, February 10, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and the members all answered to their names except Messrs. Gulley and Truesdell.

Mr. Marvin asked and obtained leave of absence for Mr. Truesdell, and Mr. Shearer for Mr. Gulley, on account of illness.

The reading of the journal was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Gregory presented the petition of Wm. Gray and others, of Hillsdale county, asking for an act to change the channel of Silver creek in the township of Ransom, in said county, and asked its reference to the committee on roads and bridges.

Ordered so referred.

Mr. Town: of James M. Heath and 26 others, of Allegan county, asking for the organization of a new township.

Referred to the committee on the organization of towns and counties.

Mr. Ferry: of W. M. Riley and 26 others, of Ottawa county, asking for the amendment of an act authorizing the erection of a certain dam, approved March 31, 1840, and moved that it be laid on the table. Agreed to.

Mr. P. D. Warner: of James Gunning, J. W. Collins and 74 others, asking that the provisions of act No. 91, session laws of 1843, relative to certain settlers on University lands, may be extended to

J. W. Durham, and James Stoughton, and asked its reference to the committee on public lands.

It was so referred.

REPORTS.

Mr. Bacon, from the committee on mines and minerals, reported
A bill to amend an act to incorporate the Copper Falls Mining Company, approved March 15, 1848, recommended it to be printed, and made the special order of the day for to-morrow.

Read twice, laid on the table, and ordered printed.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 10, 1851.

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith, joint resolution relative to postage, and to respectfully inform you that the Senate have concurred therein by a two-thirds vote.

Herewith is also transmitted, a bill to authorize the Auditor General to issue certain land warrants, which I am instructed to inform you the Senate have passed by a two-thirds vote, and in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

Sec'y of Senate.

The first named was ordered enrolled.

The second was read twice and referred to the judiciary committee.

The Chair announced the appointment of Messrs. Ferry, Irvine, Shearer and Baldwin a committee to wait on the resident clergy and invite them to officiate in prayer at the opening of the daily sessions of the House.

Mr. Shearer moved that the House excuse him from serving on the committee.

And after some remarks thereon, the question was taken and Mr. Shearer was excused.

The Speaker then appointed Mr. Watkins to fill the vacancy.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Church offered the following resolution:

Resolved, That the committees on the judiciary, banks and incorporations, and on engrossment and enrollment, be authorized to employ a Secretary to assist in the discharge of the duties of each and either committee, as the case may require.

Adopted.

Mr. Shearer offered the following:

Resolved, That 720 copies of the journal of the first day's session of this House be printed for the use of the members thereof.

Mr. Hyde moved to amend the resolution by striking out "720" and inserting "960."

Mr. Crossman moved to insert "480," instead of "960."

And after some debate thereon, by Messrs. Gray, Britain, Crossman, Hyde, Hart and Beecher, the question was taken on the highest number, and 960 agreed to.

The resolution, thus amended, was then adopted.

Mr. S. C. Hall offered the following:

Resolved, That an additional messenger be appointed for the House.

Which Mr. Pierce moved to amend, by adding "and that one of the present messengers be discharged."

The motion was not supported.

The question was then taken on the resolution, and the same was adopted.

Mr. D. L. Case offered the following:

Resolved, That Charles Taylor be allowed at the rate of two dollars per day, for three day's services as fireman of the House during the present session, payable by the State Treasurer, upon the usual certificate.

Lost.

Mr. Turner offered the following resolution, which, under the rules of the House, lays over one day:

Resolved, (if the Senate concur,) That the committee on printing be instructed to cause to be published in convenient form, for the use of the two Houses, a Manual containing all the rules of said Houses, together with the joint rules of the same; also, the constitution of the United States, and that of this State, and the census of this State for the years 1840, 1845 and 1850, by counties, in alpha-

betical order; a table containing the names of the members and officers of the Senate of 1851, with their places of residence, post office nearest the same, boarding house at Lansing, occupation, &c.; also, a like list of the House of Representatives, by counties, with the names of their Senators and Representatives annexed, together with tables of the standing committees of the two Houses, arranged; also a calendar for 1851.

Mr. Hart offered the following:

Resolved, That the committee on printing be authorized and directed to employ a reporter of the debates of this House.

Lost.

Mr. Church moved to take from the table the resolution referring portions of the Governor's Annual Message to different standing committees, offered by himself on the 7th inst.

Agreed to.

Said resolution was then adopted.

Mr. Britain offered the following resolution:

Resolved, That the use of this Hall be given to the Peninsula Vocalists this evening, for the purpose of holding a musical concert
Adopted.

Mr. Wheeler gave notice that on some future day he should introduce a bill to establish a township library in each organized township in this State.

Mr. Hart moved to take from the table the resolution offered by himself on the 6th inst., relative to printing 8,000 copies of the revised constitution.

Agreed to.

Mr. Fitch then moved that "House" be stricken out of the resolution, and "the people" inserted.

Agreed to.

The question was then taken on the resolution, and the same was lost.

Mr. Church offered the following resolution:

Resolved, That one thousand copies of the special report of the Attorney General, upon the adaptation of existing laws to the new constitution of the State, transmitted the 6th of February present, be printed for the use of this House.

Adopted.

Mr. Yocum gave notice that he would on some future day ask leave to introduce a bill authorizing the commissioners of highways to alter the Monroe and Grand River territorial road, established by an act of the Legislative Council of 1828, and for perfecting the record thereof.

Mr. Montgomery offered the following:

Resolved, That the constitution of this State be printed as an appendix to the session laws of 1851, to be distributed with those laws.
Lost.

On motion of Mr. Irvine,

The joint resolutions relative to Indian claims were taken from the table.

And the question being on ordering the same to a third reading, they were so ordered, by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. A. H. Moore,	
Balcombe,	J. B. Eaton,	H. M. Moore,	
Barnes,	L. Eaton,	Patterson,	
Beecher,	Ferry,	Pierce,	
Britain,	Fitch,	Root,	
Butterfield,	Fowler,	Sexton,	
Calkins,	Gray,	Shearer,	
Corrigan,	Gregory,	Sherwood,	
D. L. Case,	H. Hall,	Shook,	
S. M. Case,	S. C. Hall,	Smith,	
Chandler,	Hart,	Stetson,	
Childs,	Hicks,	Town,	
Church,	Hitchings,	Turner,	
Darius Clark,	Hubbell,	Voorhies,	
David Clark,	Irvine,	Waite,	
Clyburn,	Kimberly,	P. D. Warner,	
Corrigan,	Lawrence,	W. Warner,	
Corbin,	Martin,	Watkins,	
Covert,	Marvin,	Wheeler,	
Crane,	Minne,	Yocum,	
Crossman,	Montgomery,	Speaker,	63

NAYS.

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The resolutions were then read a third time, and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. H. M. Moore,
Balcombe,	L. Eaton,	Patterson,
Baldwin,	Ferry,	Pierce,

Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crossman,

Fitch,
Fowler,
Gray,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Irvine,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

61

NAYS.

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Mr. Ferry, pursuant to previous notice, by unanimous consent, introduced

A bill to amend act No. 96, entitled an act to authorize the building of a certain dam therein named, approved March 31, 1840.

Which was read twice and ordered laid on the table and printed.

The House then resolved itself into committee of the whole on the general order, Mr. Church in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House without amendment,

Joint resolution relative to postage,

And asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

Mr. Church moved the indefinite postponement of the joint resolution.

Agreed to.

On motion of Mr. Root,

The House then adjourned.

Lansing, Tuesday, February 11, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members all answered to their names except Messrs. Gulley and Truesdell, who were yesterday excused on account of sickness.

By unanimous consent, the reading of the journal of yesterday was dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. Church presented the petition of Peter Pattison, of Kent county, asking the passage of an act authorizing him to purchase the S W $\frac{1}{4}$ of the S W $\frac{1}{4}$ of section 34, T 7 N of R 12 W, State Normal school lands, at its appraised value;

Of Mrs. Dennis McMahon, of the same county, to purchase the W $\frac{1}{2}$ of the N E $\frac{1}{4}$ of sec. 33, T 7 N of R 12 W, same lands;

And of Daniel S. Waters, of the same county, to purchase W $\frac{1}{4}$ of the S W $\frac{1}{4}$ of sec. 5, T 6 N of R 12 W, same lands.

Severally referred to the committee on public lands.

Mr. Butterfield: of Chauncey G. Pope and Thomas L. Pope, for an act authorizing the conveyance to them of certain lands.

Referred to the judiciary committee.

Mr. Minne: of Jarvis Hurd and others, of Sanilac county, asking for the organization of a new township to be called Austin.

Referred to the committee on the organization of towns and counties.

Mr. Barnes: of Martin Smith and 121 others, of Dundee, Monroe county, for repeal of all license laws, and imposition of penalties on persons engaged in the sale of intoxicating liquors.

On motion of Mr. Church,

Referred to the committee on State affairs.

Mr. Church also presented the petition of Justus G. Beach and 41 others, of Bowne, Kent county, to change the name of Bowne to Hamilton.

Referred to the committee on the organization of towns and counties.

And Mr. Crossman: the remonstrance of S. N. Doty, C. C. Darling, and 20 others, against the passage of the bill to provide for the assessment and collection of taxes in Lansing, Ingham county.

Referred to the committee of ways and means.

REPORTS.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

A joint resolution relative to postage.

Mr. Ferry submitted the following report:

The committee appointed to invite the resident clergy of Lansing to open the daily sessions of the House with prayer, would respectfully report, that they (in consequence of the absence of a portion of the clergy) have performed their duty in part; and that the Rev. Messrs. Atterbury and Whittemore have accepted the invitation, and will be in attendance alternately.

THOS. W. FERRY, Chairman.

The report was accepted, and leave granted the committee to report again.

The Speaker announced the following communication from the Attorney General:

OFFICE OF THE ATTORNEY GENERAL, }
Lansing, February 10, 1851. }

To the Hon. the Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt of the following resolution:

“Resolved, That the Attorney General be requested to inform the House if, in his opinion, the constitution prohibits the authorizing the translation and printing of the Governor’s Message in any language other than the English.”

The only provision of the constitution that may be regarded as imposing a restriction upon the action of the Legislature, is contained in the sixth section of the eleventh article. It is therein provided, that the laws, public records, and other written judicial and legislative proceedings of the State, shall be conducted, promulgated and preserved in the English language.

I am clearly of the opinion that the publication of the Governor’s Message in another language, for the purposes indicated by the resolution, is not embraced within the provision of the section. It is not a law, nor a public record, nor a written legislative proceeding.

It is, therefore, competent for the House to order its translation and publication.

Very respectfully,

WILLIAM HALE,

Attorney General.

And the following from the Commissioner of the Land Office:

STATE LAND OFFICE, }
Lansing, February 10, 1851. }

HON. JEFFERSON G. TURNER,

Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt, from the Clerk of the House of Representatives, of the following resolution:

“*Resolved*, That the Commissioner of the Land Office be required to communicate to this House a statement showing the amount that has been paid to the contractor upon the canal around the Rapids of Grand River, since the 15th day of January, 1850, the time when the different payments were made, and the amount of each, and how said payments were made; the amount of the original appropriation yet unexpended; and also a statement of the different estimates of the work done on said canal, sent into the State Land Office, since the said 15th day of January, 1850; when and by whom made; the payments made on said estimates, and to whom made; and also, whether patents have been issued, and to whom, for the lands thus paid out.”

In answer to the resolution above submitted, the following statement is transmitted:

1850.

Feb. 19. J. P. Evans received on order of James Da-

vis,	acres 160	\$200 00
James Davis received,	“ 520	650 00
J. P. Searf on order of J.		
Davis,	“ 40	50 00
Feb. 20. James Davis received,	“ 100	200 00
April 5. do do in land warrants,		300 00
May 10. N. Coggeshall, on J. Davis’		
order.	“ 632 77-100	792 21

June 11. J. Davis, land warrants, 2,240 00

18. A. D. Rathbone, on J. Davis'

order

" 1806 84-100 2,258 55

Received by J. Davis, since January 15, 1850, \$6,550 76

Amount of appropriation, Act No 19, of 1847, acres, 25,000.00

Received by J. Davis, " 18,204.92

Amount unexpended, " 6,795.08

The foregoing payments made to James Davis, contractor, since the 15th day of January, 1850, were upon a balance due to said Davis on former estimates filed by him in this office. An estimate of date January 3, 1850, for fourteen hundred and fifty-six acres of and, made by A. V. Berry, engineer, was filed in this office by J. Davis, January 23, 1850. This estimate not being countersigned as provided, Act No. 216, of 1849, no payments were made thereon.

Patents do not issue from this office. I am therefore not able to state whether patents have been issued for the lands paid out since 15th January, 1850.

James Davis, contractor on Grand Rapids Canal, has filed in this office estimates amounting to twenty-three thousand and seven acres of land, not including the estimate of date January 3d, 1850, at \$1 25, \$28,758 75.

Total amount received by said Davis in interest warrants, land warrants, specie funds and lands, \$22,758 15

Am't due J. Davis, as appears by the estimates, \$6,002 50

PORTER KIBBEE,

Commissioner.

On motion of Mr. Church,

Ordered laid on the table and printed on the journal.

Also the following from the Detroit Savings Fund Institute:

DETROIT SAVINGS FUND INSTITUTE, }
Detroit, Jan. 1, 1851. }

To the Hon. the Legislature of the State of Michigan:

The undersigned respectfully report that this institution has on deposit, seventeen thousand four hundred and sixty-five dollars and eighty-eight cents, which is invested as follows, viz:

In notes secured by individual endorsements,	\$9,311 67.
do city and other stocks,	1,250 00.
do bond and mortgage,	940 80.
In judgments secured,	157 88.
	<hr/>
	\$11,660 35
Cash and interest in bank,	5,805 52.
	<hr/>
	\$17,465 88.

All which is respectfully submitted:

E. FARNSWORTH,
Z. PITCHER,
SHUBAEL CONANT,

Finance Committee of Savings Inst

Referred to committee of ways and means.

Also the following message from the Senate:

SENATE CHAMBER,
Lansing, February 10, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to provide for the payment of the members and officers of the Legislature;

And to respectfully inform you that the Senate have passed a substitute therefor, by a vote of two-thirds of all the Senators elected, in which the concurrence of the House is respectfully asked.

Very respectfully, &c.,

Q. W. MOORE,

Sec'y of Senate.

The substitute was non-concurred in.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ferry offered the following resolution:

Resolved, That 500 copies of the Governor's annual message be printed in the German; 500 copies in the French, and 1000 copies in the Dutch languages, for the use of the House, and that the committee on printing be requested to procure the translations by some person or persons qualified therefor.

Mr. Britain moved to strike out the words "the committee on printing," and insert "the Secretary of State."

Agreed to.

Mr. Britain also moved to amend by adding between the words "languages" and "for," in the third line, the words "in newspaper form."

Agreed to.

The resolution thus amended was then adopted.

Mr. Patterson offered the following resolution:

Resolved, That the resolution heretofore passed, appointing a committee of four to invite the resident clergy to open this House with prayer, be and the same is hereby rescinded, and that all further proceedings under the same be hereafter dispensed with.

Mr. Ferry moved to lay it on the table.

Lost.

The question was then taken on the resolution of Mr. Patterson, and lost by the following vote:

YEAS.

Mr. Bacon,	Mr. Fitch,	Mr. Martin,	
Barnes,	Fowler,	Marvin,	
Butterfield,	Gray,	Minne,	
Calkins,	S. C. Hall,	H. M. Moors,	
D. L. Case,	Hart,	Patterson,	
S. M. Case,	Hicks,	Root,	
Corrigan,	Hitchings,	Shearer,	
Covert,	Hubbell,	Sherwood,	
J. B. Eaton,	Hyde,	Voorhies,	
L. Eaton,	Irvine,	Speaker,	30

NAYS.

Mr. Balcombe,	Mr. Croesman,	Mr. Shook,	
Baldwin,	Earl,	Smith,	
Beecher,	Ferry,	Stetson,	
Britain,	Gregory,	Town,	
Chandler,	H. Hall,	Turner,	
Childs,	Kimberly,	Waite,	
Church,	Lawrence,	P. D. Warner,	
Darius Clark,	Montgomery,	W. Warner,	
David Clark,	A. H. Moore,	Watkins,	
Clyburn,	Pierce,	Wheeler,	
Corbin,	Sexton,	Yocum,	32

Pending the call of the roll,

Mr. Hart moved that Mr. Crane be excused from voting on the question.

Agreed to.

By unanimous consent of the House,

The Speaker announced the following message from the Senate :

SENATE CHAMBER,
Lansing, February 11, 1851, }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return herewith a bill to extend the time for the collection of taxes in the city of Detroit, and to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect.

Very Respectfully,

O. W. MOORE,

Secretary Senate.

The bill was ordered enrolled.

Mr. S. C. Hall offered the following resolution:

Resolved, That a select committee of three be appointed by the chair, to whom shall be referred that portion of the Governor's message which relates to the act of Congress passed at the last session thereof, granting to certain States therein named, all swamp or overflowed lands within their limits; with instructions to inquire generally into the said matter, and especially to inquire into the expediency of making, under the authority of this State, an examination as to the amount and location of said lands, and upon the best disposition of the same.

Mr. Irvine moved to amend the resolution by striking out "three" and inserting "five."

The amendment was accepted.

And the question being taken on the adoption of the resolution, the same was lost.

Mr. Beecher, voting with the majority, moved a reconsideration of the vote by which the House refused to concur in the Senate substitute for the bill to provide for the payment of the members and officers of the Legislature.

Agreed to.

Mr. Church then moved that the bill be referred to the committee of ways and means.

The motion prevailed, and

The bill was ordered so referred.

Mr. P. D. Warner moved that the report of the select committee on the revision of the rules, be taken from the table, referred to the

committee of the whole House, and made the special order of the day for this day, at half-past 11 o'clock.

Agreed to.

Mr. S. C. Hall, by consent, pursuant to previous notice, introduced

A bill to authorize the re-assessment of taxes in the township of Baltimore, Barry county.

Read twice, and referred to the judiciary committee.

Mr. Marius Clark offered the following resolution:

Resolved, That 720 extra copies of the Statistical Report of the Secretary of State, be ordered printed for the use of the members of this House.

Adopted.

Mr. Shearer moved a reconsideration of the vote of yesterday, by which the House refused to adopt the resolution directing a certificate to be issued to Charles Taylor for services as fireman *pro tem*.

Agreed to.

The resolution, which was in the following words, viz:

“Resolved, That Charles Taylor be allowed at the rate of two dollars per day, for three day's services as fireman of the House during the present session, payable by the State Treasurer, upon the usual certificate,”

Was then adopted.

Mr. Kimberly moved a reconsideration of the vote by which the House refused to adopt the resolution offered by Mr. Hart, on yesterday, authorizing the committee on printing to employ a reporter to report the debates of the House.

After considerable discussion by Messrs. Shearer, Pierce, Hart and Kimberly.

The question was taken on the motion to re-consider; and the same did not prevail.

The House having arrived at the special order of the day, resolved itself into committee of the whole thereon, Mr. Irvine in the chair.

After some time the committee rose, and by their chairman, reported back to the House, “Rules of the House of Representatives,” with sundry amendments, in which they asked the concurrence of

the House, and to be discharged from further consideration thereof.

The report was accepted and the committee discharged.

On motion of Mr. Church,

The amendments made by the committee were then concurred in in gross.

Mr. Britain offered the following amendment,

Add to rule 36, "and said committee may report at any time."

Agreed to.

The rules as amended were then adopted.

The Speaker appointed Edwin H. Brown a messenger, under a resolution of the House of yesterday.

On motion of Mr. Hart,

The House adjourned.

Lansing, Wednesday, February 12, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Whittmore.

The roll was called, and the members answered to their names except Messrs. Gully and Truesdell, previously excused on account of sickness.

By unanimous consent, the reading of the journal of yesterday was dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. Hart presented the petition of Clarissa M. Shaw and 120 other ladies, of Almont, Lapeer county, asking for the passage of laws to suppress the traffic in ardent spirits.

Of Mary A. Bristol and 57 other ladies, of Almont, to the same effect.

Of A. Edgerton and 83 other citizens, of same township, to the same effect.

Of James L. Dewey and 35 others, same township, to the same effect; and

Of Joseph Jennings and 30 others, same effect.

Severally referred to the committee on ~~S~~ affairs.

Mr. Crossman presented the petition of J. B. Waits, H. Gibbs,

and 100 others, for an act providing security against the traffic in ardent spirits.

Referred to the committee on State affairs.

Mr. Sherwood presented the petition of the judge of probate of Cass county, for an amendment of section 20, chapter 70 of R. S. 1846.

Referred to judiciary committee.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and yesterday presented to the Governor for his approval,

An act to extend the time for the collection of taxes in the city of Detroit.

Mr. Hubbell, from the committee on engrossment and enrollment, also reported as correctly engrossed,

The rules of the House of Representatives, as the same were amended.

Mr. Britain submitted the following report:

The committee of ways and means, to whom was referred the petition of James Perry and others, inhabitants of town nine, in Hillsdale county, for the imposition of a special tax of five mills on the dollar, in said town, for the improvement of the Vistula road, have instructed me to report

A bill to provide for the collection of a special tax for the improvement of the Vistula road, in the county of Hillsdale;

And to ask the reference of said bill and petition to the judiciary committee, and also to ask that the committee on ways and means be discharged from the further consideration of the subject.

C. BRITAIN, Chairman.

The report was accepted, the committee discharged, and said bill referred to the judiciary committee, in accordance with the recommendation of the committee.

Mr. Britain also submitted the following:

The committee of ways and means, to whom was referred a bill to provide for the assessment and collection of taxes in the town of Lansing, Ingham county, have had the same under consideration, and instructed me to report the same with the following amendments:

No. 1. Sec. 1. Lines 6, 7, 8 and 9, strike out "as near as may be

to the persons in possession thereof, on the first day of May, eighteen hundred and fifty.

No. 2. Sec. 2. Last line, strike out "title 5, of."

No. 3. Sec. 4. Line 10, after "statutes," insert "of eighteen hundred and forty-six."

No. 4. Sec. 6. Line 6. Strike out "twenty-three," and insert "thirty-two."

No. 5. Also strike out "of title five."

The committee also instruct me to ask that said bill be referred to the committee on the judiciary, and that the committee of ways and means be discharged from the further consideration of the subject.

C. BRITAIN, Ch'n.

The report was accepted, the committee discharged, and the several amendments recommended were concurred in.

Mr. Fowler then moved that said bill be referred to the committee on the judiciary. Lost.

Mr. Britain moved to refer it to the committee of the whole.

Agreed to.

Mr. Crossman then moved that it be made the special order for half-past 11 o'clock to-day. Agreed to.

Mr. P. D. Warner submitted the following report:

The committee on elections, to whom was referred the memorial of Edward Guilbault, of the county of Michilimackinac, asking to be admitted to a seat as a member of the House from said county, in place of the Hon. J. D. Irvine, have had the same under consideration, and unanimously directed me to report:

That from all the evidences presented before the committee, and after a careful and impartial examination of the same, the committee are of opinion that the Hon. J. D. Irvine was duly elected and is justly entitled to the seat which he now occupies as a member of the House from said county of Michilimackinac.

And the said committee would further report:

That said Guilbault appeared before the committee and presented as a preliminary question for the action of the committee and the House, that he was entitled to a seat as a member under the provisions of the revised constitution, and by virtue of the precedent established by the House.

That he presented a certificate of election as a member from the county of Michilimackinac, signed by the chairman of the board of county canvassers of said county, which is hereto appended and forms a part of this report.

And at the request of said Guilbault, and for the purpose of enabling the House to act directly upon the question of his right to a seat under the constitution, and without any expression of their own opinion upon the merits of the question, the committee report for the consideration of the House, the following resolution:

Resolved, That Edward Guilbault be also sworn in as a member of this House.

And your committee ask to be discharged from further consideration of the subject.

All of which is respectfully submitted.

P. D. WARNER, Chairman.

Statement of votes given in the county of Michilimackinac, and State of Michigan, for the office of Representative to the State Legislature, at the general election holden on the first Tuesday (5th day) in November, A. D. 1850.

TOWNSHIPS.	REPRESENTATIVE.		
	J. D. Irvine.	Edward Guilbault.	Whole No. of votes.
Holmes,	73	98	171
St. Ignace,	1	31	32
Moran,	16	6	22
Iverness,	12	5	17
	102	140	242

The whole number of votes given for the said office of Representative to the State Legislature, was two hundred and forty-two; and they were given for the following persons, viz: one hundred and forty of them for Edward Guilbault, and one hundred and two of them for J. D. Irvine.

We hereby certify that the above is a correct statement of the

votes given in the county of Michilimackinac and State of Michigan, for the office of Representative to the State Legislature, at the general election holden on the first Tuesday in November, (5th day,) A. D. 1850.

MICHAEL DOUSMAN,

Chairman of the County Board of Canvassers.

TULLY O'MALLEY,

Secretary of the County Board of Canvassers.

We therefore certify that Edward Guilbault is duly elected a Representative to the State Legislature.

MICHAEL DOUSMAN,

Chairman of the County Board of Canvassers.

TULLY O'MALLEY,

*Secretary of the Board of County Canvassers,
by appointment of the Board.*

The report was accepted and the committee discharged.

Mr. Church offered the following resolution:

Resolved, That the counsel for E. Guilbault, claiming a seat in this House, be permitted to be heard at the bar of this House, upon the report presented by the committee on elections upon the claim of said Guilbault.

Adopted.

A. H. Hanscom then appeared within the bar of the House, as counsel for the claimant; and, after he had concluded his argument, asked leave to withdraw the petition of E. Guilbault.

Mr. Church moved the indefinite postponement of the whole matter.

After some discussion,

Mr. Britain moved to amend the motion of Mr. Church, by adding thereto, "and the said Guilbault have leave to withdraw his petition."

The amendment was accepted.

The motion as amended was then agreed to.

Mr. Church submitted the following report:

The committee appointed to act with a like committee on the part of the Senate, to prepare joint rules for the Senate and House of Representatives, would respectfully report that they have examined the rules now in force, and recommend that they be adopted on the part of the House, amended as follows, to wit:

Strike out of joint rule No. 5, the word "chairman," in the 6th line thereof, and insert the word "chairmen."

Also insert in said rule, after the word "modification," in the 10th line thereof, the words, "or amendments of the matter of difference submitted."

Amend rule 6th by striking out the word "that," in the 6th line thereof.

The committee would recommend the adoption, on the part of the House, of the present rules in joint convention.

THOS. B. CHURCH, Ch'n.

The report was accepted and the committee discharged.

The amendments proposed by the committee to the joint rules were then concurred in, and the rules as amended, adopted.

The rules in joint convention were also adopted by the House, as proposed by the committee.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 12, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit herewith concurrent resolution providing for the formation of a joint legislative committee, which the Senate have adopted, and respectfully ask the concurrence of the House therein.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of the Senate.

The resolution was read a first and second time, and referred to the committee of the whole.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Ferry,

The bill to amend act No. 96, entitled an act to authorize the building of a certain dam therein named, was taken from the table and referred to the committee of the whole House and placed on the general order.

Mr. Wait gave notice that on some future day, he would ask leave to introduce a bill for the relief of certain purchasers of university and primary school lands.

Mr. Shearer moved that Mr. Gulley be excused from attendance in the House for an indefinite time, on account of illness.

Agreed to.

Mr. Shook offered the following resolution:

Resolved, That the committee on judiciary be requested to report to this House at the earliest practical period, if there is any law now in force to preserve the records, field notes, and other papers pertaining to the office of county surveyors.

Adopted.

Mr. Kimberly asked and obtained the unanimous consent of the House to introduce

A bill to amend an act entitled an act to amend an act to incorporate the Corunna and Saginaw Plank Road Company.

Read twice and referred to the committee on banks and incorporations.

Mr. Shook, by unanimous consent, introduced

Preamble and joint resolutions relative to claims to land of Joseph Sansfacon, and others.

Read twice; when

Mr. Shook moved that the rules be suspended, and that they now be read a third time.

But the motion did not prevail.

They were then referred to the committee on public lands.

Mr. Church moved to take from the table the memorial of the prosecuting attorney, of Kent county, in relation to the assessment and collection of taxes in said county, and called for the reading thereof.

The memorial was then read by the clerk; when

Mr. Church moved that it be referred to the committee of ways and means.

It was ordered so referred.

The House then took up, under the order of unfinished business, the concurrent resolution offered by Mr. Turner on the 10th inst., relative to printing a manual.

Mr. Turner offered the following amendment thereto:

Amend by inserting after the word "same," in the fourth line of said resolution, the words "with an index thereto."

Adopted.

Mr. Britain offered the following:

Line four, after the word "amended," insert, "and the rules of the Senate and House of Representatives in joint convention."

Line six, after the word "counties," insert "and the census of the several States and Territories of the United States, by States and Territories, for the years 1840 and 1850."

Adopted.

Mr. Beecher moved to strike out the words "nearest the same," and insert "address."

Agreed to.

Mr. Turner moved to add between "by" and "counties," in line 6, the words "townships and." Agreed to.

Mr. Britain offered the following;

Line 8, after "Senate," insert: "and House of Representatives."

Adopted.

And also the following:

Strike out all of resolution after "&c.," in line nine, to "together," in 11th line, and insert: "a district list of each House and."

Adopted.

Mr. P. D. Warner moved to add at the end of the resolution:

"And such other information as shall be thought advisable by said committee." Lost.

Mr. Britain then moved to amend by inserting between the words "same" and "also," in line 4, the words: "with an index thereto."

Agreed to.

The resolutions as amended were then adopted, and ordered to be engrossed.

Mr. Hyde offered the following resolution:

Resolved, That the Attorney General be requested to furnish this House with his opinion as to the effect of section 47, article 4 of the new constitution, upon the existing license laws, and more especially whether said section operates as a repeal of the same.

On motion of Mr. P. D. Warner,

Ordered laid on the table.

The House having arrived at the special order of the day, resolved itself into committee of the whole thereon,

Mr. Hart in the chair.

And after some time, the committee arose and by their chairman reported back to the House,

A bill to provide for the assessment and collection of taxes in the town of Lansing, Ingham county, with sundry amendments in which they asked the concurrence of the House and to be discharged from further consideration of said bill.

The report was accepted and the committee discharged.

The amendments were then severally concurred in, and the bill ordered engrossed for a third reading.

The unanimous consent of the House was asked and obtained to change the title of enrolled joint resolution relative to postage, so as to read, "an act relative to postage."

On motion of Mr. Minne,

The House adjourned.

Lansing, Thursday, February 13, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members answered to their names, except Mr. Truesdell, who was excused on account of sickness.

Mr. Beecher announced that Joseph S. Fenton, a member elect from the county of Genesee, was in attendance; and

Mr. Fenton then appeared at the clerk's desk, presented his credentials, took and subscribed the constitutional oath, and took his place as a member of the House.

The reading of the journal of yesterday was, by unanimous consent, dispensed with; and the journal was approved.

PRESENTATION OF PETITIONS.

Mr. Watkins presented the petition of J. L. Butterfield and others, relative to license laws.

Referred to committee on State affairs.

Mr. Hubbell: of Sebring Voorhies and 38 others, asking an appropriation, to be placed under the control of the State Agricultural Society, for awarding premiums.

Referred to the committee on agriculture and manufactures.

Mr. David Clark: of A. H. Faxon, Wm. B. Watson, and 40 oth-

er citizens of Clinton county, asking for an act to encourage agriculture.

Referred to the committee on agriculture and manufactures.

Mr. Gregory: of E. M. Patterson and others, of Hillsdale county, for imposing a special tax of 5 mills on the dollar on lands therein named, for the improvement of the Hillsdale road and to change the channel of Silver Creek, on section 32 in the town of Amboy, in said county.

Referred to committee on roads and bridges.

Mr. Yocum: of 75 electors of Washtenaw county, asking for an act providing for security against the traffic in ardent spirits.

Referred to the committee on state affairs.

Mr. Montgomery presented resolutions of supervisors of Hillsdale county, asking a law to assess on the township of Ransom the state and county tax of 1850.

Referred to committee on judiciary.

REPORTS.

Mr. Church, from the judiciary committee, to which was referred a concurrent resolution providing for the formation of a joint legislative committee, reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the resolution referred to committee of the whole and placed on the general order.

Mr. Britain submitted the following report:

The committee of ways and means, to which was referred the remonstrance of S. N. Doty, C. C. Darling and twenty others, against the passage of a bill to provide for the assessment and collection of taxes in the town of Lansing, in Ingham county, have instructed me to report the same back to the House, for the use of the House on the third reading of said bill, and to ask that the committee be discharged from the further consideration of the subject.

C. BRITAIN, Ch'n.

The report was accepted, the committee discharged, and the remonstrance referred to the House, as recommended by the committee.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands to whom was referred joint resolutions relative to claims to land, by Joseph Sanfason and others, have had the same under consideration, and have instructed me to report the same without amendment, recommend its passage, and ask to be discharged from its further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, and the joint resolutions referred to the committee of the whole, and placed on the general order.

MESSAGES.

The following message from the Executive was received by the hands of S. P. Purdy, his Private Secretary.

EXECUTIVE OFFICE,
Lansing, February 12, 1851. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to extend the time for the collection of taxes in the city of Detroit, for the year 1850.

JOHN S. BARRY.

And also the following:

EXECUTIVE OFFICE,
Lansing, February 13, 1850. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act relative to postage.

JOHN S. BARRY.

The Speaker announced the appointment of the following additional members to standing committees, viz:

On Agriculture and Manufactures—Messrs. Watkins and Fenton.

Organization of Towns and Counties—Mr. E. C. Hall.

Mr. Irvine offered the following resolution:

Whereas, The pretended certificate upon which Edward Guilbault claimed a seat in this House, was made a part of the report of the committee on elections, and thus found its way on the journal of this House; therefore,

Resolved, That the certificate of election of J. D. Irvine be also entered on the journal of this House.

Adopted.

And the certificate, which was as follows, ordered entered on the journal:

Statement of Votes given in the County of Michilimackinac and State of Michigan, for the office of Representative to the State Legislature for said County at the General Election, holden on the 5th day of November, 1850.

TOWNSHIPS.	REPRESENTATIVE.		
	J. D. Irvine.	Edward Guilbault.	Total.
Holmes,	73	98	171
St. Ignace,	1	31	32
Moran,	16	6	22
Peaine,	96	11	107
Inverness,	12	5	17
	196	121	317

The whole number of votes given for the said office of Representatives to the State Legislature for said county, was three hundred and forty-nine; and they were given for the following persons to wit:

One hundred and ninety eight of them for John D. Irvine; and one hundred and fifty-one of them for Edward Guilbault.

We hereby certify that the above is a correct statement of the votes given in the county of Michilimackinac, and State of Michigan, for the office of Representative to the State Legislature for said county; and we determine that John D. Irvine is duly elected Representative for said county in the State Legislature.

DENNIS CHIDESTER,

One of Board of County Canvassers.

P. C. KEVAN, *Sec'y of Bd. of Co. Canvassers.*

STATE OF MICHIGAN, County of Michilimackinac, ss:

This is to certify that the above is a true copy of the original

statement, certificate and determination of the Board of County Canvassers, as on file and recorded in my office.

In witness whereof I have hereunto affixed the seal of the circuit court of said county, this fifteenth day of November, in the year 1850.

[L. S.]

PETER C. KEVAN,

County Clerk.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly engrossed, a bill to provide for the assessment and collection of taxes in the town of Lansing, Ingham county.

Mr. Turner offered the following resolution:

Resolved, That a committee be appointed to procure a large outline map of the State of Michigan, with the census of 1850 of each county placed thereon, and that the same be put on canvass and placed in some convenient place in the House for reference thereunto: *Provided,* The cost of the same shall not exceed dollars, and that it be procured within one week.

Mr. Fowler moved to fill the blank with 50.

Mr. Fitch moved to fill it with 30.

Mr. Kimberly moved that it be filled with 20.

The question was then taken on 50, and the same not agreed to.

The question was then taken on 30, and lost.

Pending the question on filling the blank with 20;

Mr. Case moved that it be filled with 15.

Accepted by Mr. Kimberly, and the question taken on filling with 15, and agreed to.

Mr. Beecher then moved to lay the resolution on the table. Lost.

The question was then taken on the resolution, and the same adopted.

Mr. Kimberly gave notice that on some future day he would ask leave of the House to introduce a bill.

Mr. Sexton offered the following resolution:

Resolved, That 600 extra copies of the Auditor General's report be printed for the use of the members of this House.

Mr. Hyde moved to strike out "members of this House" and insert "people." Agreed to.

Mr. Crosman moved to strike out "600" and insert "240."

Mr. Britain moved to insert "720."

And the question being first taken on the highest number, the same was agreed to.

The resolution as amended, was then adopted.

Mr Darius Clark gave notice that on some future day he would ask leave to introduce a bill to amend the charter of the Marshall and Ionia Plank Road Company.

Mr. Shearer gave notice that he would on some future day ask leave to introduce a bill.

Mr. Waite, pursuant to previous notice, asked and obtained leave to introduce a bill for the relief of certain purchasers of university and primary school lands.

Read a first and second time and referred to the committee on public lands.

Mr. Church offered the following resolution:

Resolved, That that portion of the Governor's message which relates to the act of Congress passed at the last session thereof, granting to certain States therein named, all swamp or overflowed lands within their limits, be referred to the committee on public lands, with instructions to inquire generally into the said matter, and especially to inquire into the expediency of making, under the authority of this State, an examination as to the amount and location of said lands, and upon the best disposition of the same.

Adopted.

Mr. Britain offered the following resolution:

Resolved, That four hundred and eighty copies of the annual report of the Commissioner of the State Land Office be printed for the use of the House.

Adopted.

Mr. S. C. Hall offered the following resolution:

Resolved, That the committee appointed to invite the resident clergy of Lansing to attend and open the sessions with prayer, be instructed to notify O. Whitmore that his services under that resolution will hereafter be dispensed with.

After some debate by Messrs. Gray, Ferry, S. C. Hall, H. Hall, Patterson and Church,

Mr. S. C. Hall, on leave, modified his resolution by striking out "O. Whitmore that his," and inserting, "the resident clergy of Lansing that their."

The question was then taken on the adoption of the resolution as modified, and lost by the following vote:

YEAS.

Mr. Bacon,	Mr. Fitch,	Mr. Minne,
Barnes,	Fowler,	H. M. Moore,
Butterfield,	S. C. Hall,	Patterson,
Calkins,	Hart,	Sexton,
D. L. Case,	Hitchings,	Shearer,
S. M. Case,	Hubbell,	Sherwood,
Carrigan,	Hyde,	Turner,
Covert,	Martin,	Voorhies,
L. Eaton,	Marvin,	Speaker, 27

NAYS.

Mr. Baldwin,	Mr. Fenton,	Mr. Pierce,
Beecher,	Ferry,	Root,
Britain,	Gray,	Shook,
Chandler,	Gregory,	Smith,
Childs,	Gulley,	Statson,
Church,	H. Hall,	Town,
Darius Clark,	Hicks,	Waite,
David Clark,	Irvine,	P. D. Warner,
Clyburn,	Kimberly,	W. Warner,
Corbin,	Lawrence,	Watkins,
Crossman,	Montgomery,	Wheeler,
Earl,	A. H. Moore,	Yocum, 37
J. B. Eaton,		

Pending the call of the roll, Mr. Church moved that Mr. Crane be excused from voting on the question.

Agreed to.

Mr. Gray offered the following resolution:

Resolved, That a committee of three be appointed to draft a certain form of prayer, in which all reference to the Higher Law shall be carefully excluded, to be delivered each morning. The gentleman who offered the last resolution to be chairman.

Which, on motion of Mr. Beecher,

Was ordered laid on the table.

On motion of Mr. Irvine,

The following amendment was ordered to be made to the journal of yesterday, viz: at the end of line seven from bottom, third column, after the word "argument," insert "asked leave to withdraw the petition of Edward Gullbank from the files of the House."

Mr. Britain offered the following resolution:

Resolved, That rule 22 of the House, as found in the printed manual adopted by the House, be amended by adding thereto the following:

"Every notice of motion for leave to bring in a bill, and every motion for leave to bring in a bill, shall be in writing, and shall contain the title of the bill."

Resolved, That the committee on printing be instructed to cause the above amendment to be printed in the manual now under their supervision.

Adopted.

Mr. Church offered the following resolution:

Resolved, That a select committee of five be appointed by the Chair, whose duty it shall be to inquire into the matter of the appropriation of 25,000 acres of land made by the act No. 19 of the session laws of 1847, entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the Rapids of Grand River at Grand Rapids, approved February 20, 1847, and sundry acts amendatory thereto; how the said appropriation has been expended; how much of said canal has been built; in what manner as regards the purpose of the improved navigability of Grand River; whether the location of said canal has been changed; whether the location of the dam, appurtenant to said canal, has been changed; and whether the said changes have been detrimental to the public interest and an infringement of the rights of riparian proprietors, endangering the permanency of said dam and obstructing the navigation of Grand River; and more particularly whether, in the opinion of the committee, the balance of the appropriation unexpended will suffice for the completion of said canal; the extent of the security held by the State for the fulfillment of the contract entered into by James Davis for the construction of said canal, and to report to this House such a disposal of the matter as may to them seem advisable; and that such committee have power to send for persons and papers for the purposes aforesaid.

On motion of Mr. Church,

Ordered laid on the table.

By unanimous consent, the Speaker announced the following message:

SENATE CHAMBER,
Lansing, February 12, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,
Joint resolutions relative to Indian affairs;
And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect.

I am also instructed to transmit herewith,
A bill to amend an act for the relief of Thomas N. Bartlett; and
A bill to provide for holding terms of the Circuit Court in the county of Sanilac;

And to respectfully inform you that the Senate have passed the same by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

I am also instructed to respectfully inform you that the Senate have concurred in the report of the joint committee of the two Houses, upon the joint rules, and the rules of the Senate and House of Representatives in joint convention, as follows:

Strike out the word "chairman," in the 6th line of the 5th rule, and insert the word "chairmen."

Strike out the word "that," in the 6th line of the 6th rule.

And that the Senate have non-concurred in said report, as follows:

Insert after the word "modification," in the tenth line of the same rule, the words "or amendments of the matter of difference submitted."

And that with these amendments the Senate have permanently adopted said rules.

Very respectfully, &c.,

O. W. MOORE,

Sec'y Senate.

The first named was ordered enrolled:

The second and third were severally read a first and second time, and referred to the judiciary committee.

Mr. Irvine moved that the House recede from their concurrence in the report of the committee.

Which he subsequently withdrew; when

Mr. Britain moved that the House insist therein.

Which motion, after some debate, was agreed to.

On motion of Mr. Hubbell, the House then adjourned.

Leasing, Friday, February 14, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called and the members answered to their names except Mr. Truesdell, who had leave of absence on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Britain presented the petition of F. S. Smith and 54 others, for a reduction in the price of university and school lands in Benien county.

Referred to the committee on public lands.

Mr. D. L. Case: of A. S. Stannard and others, asking the appropriation of certain highway taxes on a road in the counties of Ionia and Kent.

Referred to the committee on roads and bridges.

Mr. Hart: of Lya Ann Walker and 20 other ladies of Almont, Lapeer county, asking the passage of laws to suppress the traffic in ardent spirits; also, of A. H. Smith and 37 others, of Almont, Lapeer county, to the same effect.

Severally referred to the committee on State affairs.

Mr. Minne: of Wm. Denton and 63 others, electors of the township of Clay in the county of St. Clair, praying the passage of a law prohibiting the sale of intoxicating drinks.

Referred to the committee on state affairs.

Mr. Church, from the committee on judiciary, submitted the following report:

The committee on the judiciary, to whom was referred the resolutions adopted by the board of supervisors of Hillsdale county, asking for a law to provide for the assessment and collection of the State and county tax for the year 1850, upon the town of Ransom, in said county, would respectfully report that they have had the same under consideration, and herewith submit a bill providing for the objects of said petition, and recommend its passage.

THOS. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the bill read twice, referred to the committee of the whole and placed on the general order.

Also the following:

The committee on the judiciary, to whom was referred the bill authorizing the assessment of certain taxes in the township of Baltimore, in the county of Barry, have had the same under consideration, and would respectfully report the same back to the House, with a substitute therefor, of which they recommend the passage.

THOS. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the substitute read twice, referred to the committee of the whole, and placed on the general order.

And the following:

The committee on the judiciary, to whom was referred the Senate bill authorizing the Auditor General to issue certain land warrants, have had the same under consideration, and would respectfully report the same back to the House, and recommend its passage.

THOS. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

And the following:

The committee on the judiciary, to whom was referred the Senate amendment to the resolution providing for the appointment of a joint legislative committee, have had the same under consideration, and report the same back to the House, with a recommendation that the same be adopted.

THOS. B. CHURCH, Ch'n.

The report was accepted, the committee discharged.

The question being taken on the resolution, it was adopted.

Mr. D. L. Case, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred

The bill to amend an act entitled an act to amend an act entitled

an act to incorporate the Corunna and Saginaw Plank Road Company;

Report, that they have had the same under consideration, and have ordered me to report the same back to the House without amendment, and recommend its passage.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and said bill referred to the committee of the whole and placed on the general order.

The Speaker, under the resolution adopted by the House in relation to causing a map with the different counties thereon, and the number of the inhabitants of each county respectively, thereon, to be procured, appointed as the committee, Messrs. Turner, Patterson and Childs.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hart gave notice that at some future day he would move for leave to bring in a bill to authorize the board of supervisors of the county of Lapeer, to assess certain taxes in the township of Almont, in said county.

Mr. Ferry offered the following resolution:

Resolved, That when this House adjourn, it do adjourn to meet at 9 o'clock in the forenoon to-morrow, and that such continue to be the hour of meeting until otherwise ordered.

Adopted.

Mr. Butterfield gave notice that he would on a future day ask leave to introduce a bill to provide for the construction and maintenance of roads and bridges in Berrien county.

Mr. Voorhies offered the following resolution:

Resolved, That all further discussion in respect to opening the daily sessions with prayer be dispensed with, and that if we have prayers, that they be before the time for the opening of the daily sessions, to wit: at half past nine o'clock, or half an hour before the meeting of the House.

Mr. Sexton moved to strike out "half an hour," and insert "ten minutes;" accepted by Mr. Voorhies.

When, on motion of Mr. D. L. Case,

The resolution was ordered laid on the table.

On motion of Mr. Chase,

The report of the present Attorney General was taken from the table and referred to the committee on the judiciary.

Mr. Hyde moved that the officers elect of this House be required to take the constitutional oath of office. Agreed to.

THIRD READING OF BILLS.

The House then took up under the order of third-reading of bills, a bill to provide for the assessment and collection of taxes in the township of Lansing, Ingham county; and, after some debate,

Mr. Fowler moved to lay it on the table.

Lost.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Beecher,
Britain,
Butterfield.
Calkins,
Childs,
Church,
Darius Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Crossman,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Fenton,
Ferry,
Gray,
Gregory,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Kimberly,

Mr. Lawrence,
Martin,
Marvin,
Montgomery,
A. H. Moore,
Patterson,
Root,
Sexton,
Sherwood,
Shook,
Smith,
Stetson,
Waite,

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NAYS.

Mr. Bacon,
Barnes,
S. M. Case,
Chandler,
David Clark,
Covert,
Fitch,
Fowler,

Mr. Gulley,
S. C. Hall,
Hitchings,
Minne,
H. M. Moore,
Pierce,
Shearer,
Town,

Turner,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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Mr. Earl not answering to his name,

Mr. Lawrence moved that he be excused from voting.

But the House refused to excuse him.

Mr. Earl then voted in the affirmative.

The House then ordered that said "act shall take effect and be in

force from and after its passage," as provided in the constitution, by the following vote:

YEAS.

Mr. Bacon,	Mr. Crane,	Mr. Martin,
Balcombe,	Crossman,	Marvin,
Baldwin,	Earl,	Minne,
Barnes,	J. B. Eaton,	Montgomery,
Beecher,	L. Eaton,	A. H. Moore,
Britain,	Fenton,	Patterson,
Butterfield,	Perry,	Root,
Calkins,	Gray,	Sexton,
Chandler,	Gregory,	Sherwood,
Childs,	H. Hall,	Shook,
Church,	Hart,	Smith,
Darius Clark,	Hicks,	Staton,
David Clark,	Hubbell,	Turner,
Clyburn,	Hyde,	Voorhies,
Corbin,	Irvine,	Waite,
Corrigan,	Kimberly,	Speaker,
Covert,	Lawrence,	

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NAYS.

Mr. S. M. Case,	Mr. Hitchings,	Mr. P. D. Warner,
Fitch,	H. M. Moore,	W. Warner,
Fowler,	Pierce,	Watkins,
Gulley,	Shearer,	Wheeler,
S. C. Hall,	Town,	Yocum,

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Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and presented to the Governor for approval,

A joint resolution in relation to Indian affairs.

Mr. Irvine, by unanimous consent of the House, introduced the petition of Alexander McLeod and 35 others, asking an extension of time for constructing a canal from the river Sheboygan to Lake Huron, and asked its reference to the judiciary committee.

It was ordered so referred.

Mr. Irvine, also by unanimous consent, gave notice that he would ask leave on a future day, to introduce

A bill to amend section four of an act entitled an act authorizing Alexander McLeod to construct a canal from the river Sheboygan to Lake Huron.

Mr. Britain offered the following resolution, by consent:

Resolved, That the State Printer be requested to furnish the *spee-*

sengers the daily journals of this House in time to enable them to furnish each member of the House with at least one copy of said journals forty minutes before the opening of the daily sessions of this House.

Adopted.

Mr. Irvine, by consent, offered the following resolution:

Resolved, That the messengers shall not have access to either of the committee rooms while this House is in session, unless by direction of the committee occupying the room, or of the Speaker.

Adopted.

The House having reached the general order, went into committee of the whole thereon, Mr. Church in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported back without amendment,

A bill to amend act No. 96, entitled an act to authorize the building of a certain dam therein named, approved March 31, 1840, and

A joint resolution in relation to claims to land, of Joseph Sansfacion and others,

And asked to be discharged from the further consideration of the same.

The report was accepted and the committee discharged.

The first named was ordered engrossed for a third reading.

The joint resolutions were also ordered engrossed for a third reading.

On motion of Mr. Hart,

The House adjourned.

Lansing, Saturday, February 15, 1851.

The House was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members all answered to their names except Mr. Truesdell, who was absent on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The Speaker then administered the official oath to the clerk, enrolling clerk and sergeant-at-arms elect, of the House.

PRESENTATION OF PETITIONS.

Mr. Root presented the petition of John O. Pelton and 40 other electors of the township of Coldwater, Branch county, asking a reduction of the price of University lands.

Referred to the committee on public lands.

Mr. Minne: of J. Peabody and others of St. Clair county, asking for an appropriation to be placed at the disposal of the State Agricultural Society.

Referred to the committee on agriculture and manufactures.

REPORTS.

Mr. Church, from the judiciary committee, to which was referred a bill to provide for holding terms of the circuit-court in the county of Sanilac, reported the same back without amendment, recommended its passage, and asked to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Church also submitted the following report:

The committee on the judiciary, to whom was referred the petition of Alexander McLeod and 35 others, praying for an extension of time for constructing a canal from the River Cheboygan to Lake Huron, have considered the same, and respectfully report it back to the House, and recommend its reference to the committee on internal improvements.

THOS. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the petition referred as recommended.

Mr. Shook submitted the following report:

The committee on public lands, to whom was referred a bill for the relief of certain purchasers of University and primary school lands, have had the same under consideration, and have instructed me to report the same back without amendment, recommend its passage, and ask to be discharged from its further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Hart, from the committee on federal relations, reported,

Joint resolutions relative to the construction of a ship canal around the Falls of St. Marie, recommended their passage, and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, the joint resolutions read a first and second time, and referred to committee of the whole.

Mr. Hart also reported from the same committee,

Joint resolutions relative to moneys advanced by the State of Michigan in behalf of the United States, and for the amount paid by the State for expenses incurred whilst a territory, in maintaining our territorial boundary, recommended their passage, and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, the joint resolutions read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred the petition of James Gunning and J. W. Collins, asking that the provisions of the law of 1843, No. 91, with reference to settlers upon the University land in Southfield, Oakland county, be extended to J. W. Durham and James Stoughton, have had the same under consideration, and have instructed me to report

A bill to extend the provisions of act No. 91 of session laws of 1843, to J. W. Durham and James Stoughton,

And ask the reference of said bill and petition to the judiciary committee, and also to ask that the committee on public lands be discharged from its further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, the bill read a first and second time, and referred to the judiciary committee.

Mr. Britain submitted the following report:

The committee of ways and means, to whom was referred a memorial in reference to taxes in Kent county, have had the same under consideration and instructed me to report a bill for the collection of taxes in the county of Kent, and recommend its passage, and also to

ask that the committee be discharged from the further consideration of the subject.

C. BRITAIN, Ch'n.

The report was accepted, the committee discharged and the bill,

On motion of Mr. Church,

Ordered laid on the table and printed.

Mr. Turner submitted the following report:

The committee appointed to procure an outline map for the use of the House, have directed me to report that they have contracted with W. W. Phelps, Esq., to furnish the same agreeably to, and in conformity with a resolution passed by this House on the 18th inst., for which he is to be paid the sum of \$15. All of which is respectfully submitted.

J. W. TURNER, Ch'n.

The report was accepted and the committee discharged.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 15, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to provide for the better security of the public records;

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect, with amendments, in which the concurrence of the House is respectfully asked; also to transmit

A bill to provide payment for publishing the constitution of the State,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

I am also instructed to respectfully inform you that the Senate refuse to recede from their non-concurrence in the second amendment reported by the committee on the joint rules, &c.

Respectfully,

O. W. MOORE,

Sec'y of Senate.

The amendments to the first were concurred in, and the same ordered enrolled.

The second was read a first and second time, and referred to the committee of ways and means.

The House refused to recede from their concurrence in the report of the joint committee on the joint rules.

On motion of Mr. Church,

A committee of conference to consist of three was ordered to be appointed to act with a like committee of the Senate, on the disagreement of the two Houses.

The Speaker appointed as said committee, Messrs. Church, Britain and J. B. Eaton.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Shearer offered the following resolution:

Resolved, That this House take up the laws of this State, and amend them so as to adapt them to the constitution as near as may be; that the laws be read daily in committee of the whole, or otherwise, as may be deemed best to facilitate the work, referring the same to the Senate for their action.

And after he had made some remarks thereon,

On motion of Mr. Minne,

It was ordered laid on the table.

Mr. P. D. Warner offered the following:

Resolved, That rule 34 of the rules of the House of Representatives be amended by striking out of line 14, "the organization of," and inserting "towns and," so that it shall read "a committee on towns and counties."

Adopted.

Persuant to previous notice, Mr. Hart asked and obtained leave to introduce a bill to authorize the assessment of certain taxes in the township of Almont, Lapeer county.

Which was read a first and second time, and referred to the committee of ways and means.

By unanimous consent,

Mr. Hyde introduced a bill to amend chapter 123, title 24, of revised statutes of 1846, entitled "proceedings to recover the possession of land in certain cases."

Read a first and second time, and referred to the committee on the judiciary.

Mr. Kimberly gave notice that on some future day he would ask leave to introduce a bill to authorize the supervisors of the county of Shiawassee to borrow, for a term of years, a sum not exceeding twenty thousand dollars, at an interest not exceeding ten per cent per annum. The proceeds to be applied, first, in finishing their court house now being erected, in liquidating said county's indebtedness, in the redemption of their outstanding county orders, and for such other purposes as the law does now or may hereafter authorize.

Mr. P. D. Warner offered the following resolution:

Resolved, That on and after Monday next, but four hundred and eighty copies of the daily journal of the the two Houses be printed for the use of the House.

Mr. Kimberly offered the following amendment:

Amend by instructing the printer to lay on the members' table, the whole number at once, equally distributed.

Which, after some debate by Messrs. Britain and Hart, he withdrew.

Mr. Hubbell then offered the following amendment:

Strike out 480 and insert 720.

After considerable debate by Messrs. Pierce, Crosman, P. D. Warner, Turner and Irvine, the question was taken thereon, and the amendment lost.

Mr. Hart offered the following amendment:

Strike out "480" and insert "one number for each of the members and officers of the House."

The amendment was discussed by Messrs. Hart and D. L. Case, when,

Mr. Irvine offered the following substitute for the amendment and original resolution:

Resolved, That the printing of the daily journal be dispensed with until otherwise ordered.

The question was debated at some length by Messrs. Irvine, Pierce, Crosman, Kimberly and Hart; when

Mr. P. D. Warner moved the previous question.

But the motion did not prevail.

Mr. Hubbell then moved that the whole subject be laid on the table.

Agreed to.

Mr. Church moved to take from the table the resolution offered by himself on the 13th inst., for the appointment of a select committee to inquire into the manner of the expenditure of the 25000 acres of land, appropriated to construct a canal and locks around the rapids of Grand River, at Grand Rapids.

Agreed to.

Mr. Church then called for the reading of sundry petitions relating thereto; and after the reading thereof by the clerk,

The question was taken on the resolution, and the same was adopted.

THIRD READING OF BILLS.

The House having reached the order of bills for a third reading, joint resolutions in relation to claims to lands of Joseph Sanfacon and others, were read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corrigan,
Corbin,
Covert,
Crane,
Crossman,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Fenton,
Ferry,
Fitch,
Gray,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

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The House then directed "that said joint resolutions take effect from and after their passage," by a majority of two-thirds of all the members elected.

A bill to amend act No. 96, entitled an act to authorize the building of a certain dam therein named, approved March 31, 1840, was taken up for a third reading.

After considerable debate thereon by Messrs. Church, Britain, Shearer and Ferry, it was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. Montgomery,
Balcombe,	L. Eaton,	A. H. Moore,
Baldwin,	Fenton,	H. M. Moore,
Barnes,	Ferry,	Patterson,
Beecher,	Fitch,	Pierce,
Britain,	Fowler,	Root,
Butterfield,	Gray,	Sexton,
Calkins,	Gregory,	Shearer,
D. L. Case,	Gulley,	Sherwood,
S. M. Case,	H. Hall,	Shook,
Chandler,	S. C. Hall,	Smith,
Childs,	Hart,	Stetson,
Church,	Hicks,	Town,
Darius Clark,	Hitchins,	Turner,
David Clark,	Hubbell,	Voorhies,
Clyburn,	Hyde,	Waite,
Corbin,	Irvine,	P. D. Warner,
Corrigan,	Kimberly,	W. Warner,
Covert,	Lawrence,	Watkins,
Crane,	Martin,	Wheeler,
Croaman,	Marvin,	Yocum,
Earl,	Minne,	Speaker,

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NAYS.

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The House then directed, by a vote of two-thirds of all the members, that said "act shall take effect and be in force from and after its passage."

The House, having arrived at the general order, then went into committee of the whole thereon,

Mr. Church in the chair.

After sitting some time, the committee rose and by their chairman reported back to the House, without amendment, the following entitled bills and joint resolutions, and asked to be discharged from the further consideration thereof:

A bill to authorize the assessment of certain taxes in the township of Ransom, county of Hillsdale;

A bill for the relief of certain purchasers of university and primary school lands;

A bill to authorize the Auditor General to issue certain land warrants;

A bill to amend an act entitled an act to amend an act entitled an act to incorporate the Corunna and Saginaw Plank Road Company;

A bill to provide for holding terms of the circuit court in the county of Sanilac;

A bill to authorize the re-assessment of certain taxes in the township of Baltimore, in the county of Barry;

Joint resolutions relative to the construction of a ship canal around the Falls of St. Marie; and

Joint resolutions relative to moneys advanced by the State of Michigan in behalf of the United States, and for the amount paid by the State for expenses incurred whilst a Territory, in maintaining our Territorial boundary.

The report was accepted and the committee discharged; when

On motion of Mr. Hart,

The House adjourned.

Lansing, Monday, February 17, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called, and the members all answered to their names, except Mr. Truesdell, who had leave of absence, and Mr. David Clark.

Mr. Turner asked and obtained leave of absence for one day, for Mr. David Clark.

The reading of the journal of Saturday was, by unanimous consent, dispensed with, and the journal approved.

PRESSENTATION OF PETITIONS.

Mr. Church presented the petition of Isaac Fairchild and 24 others, residents of the town of Lowell, in the county of Kent, asking for a grant or lease of five acres of Sec. 1, town 6 north of range 9 west, for the use of school district number 1, in said town of Lowell.

Referred to the committee on public lands.

Mr. P. D. Warner: of F. H. Walser, Mark Arnold and 99 others, of Farmington, Oakland county, asking the passage of a law to regulate the sale of spirituous liquors, accompanied with a bill.

Referred to the committee on State affairs.

Mr. Darius Clark: of Abner Baker, Calvin Ludden and 15 others, and of Seth Lewis, A. E. Robinson and 57 others, of Calhoun county, to the same effect.

Referred to the same committee.

REPORTS.

Mr. Church, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred the petition of C. Shanahan, the judge of probate of Cass county, praying for an amendment of section 5 of chapter 70 of title 17 of the revised statutes, have had the same under consideration, and report to the House a bill providing for the object of said petition, and ask to be discharged from the further consideration of the subject.

T. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, the bill read a first and second time, and

On motion of Mr. Church,

Ordered laid on the table and printed.

Also the following:

The committee on the judiciary, to whom was referred the Senate bill to amend an act for the relief of Thomas N. Bartlett, have had the same under consideration, and have instructed me to report the same back with a substitute therefor, the adoption of which they recommend, and ask to be discharged from the further consideration thereof.

T. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, the substitute read a first and second time, concurred in by the House, and ordered engrossed for a third reading.

And the following:

The committee on the judiciary having been requested by a resolution of this House, of date the 12th of February present, "to report to the House, at the earliest practicable period, if there is any law now in force to preserve the records, field notes and other papers pertaining to the office of county surveyors," report, according to said resolution, that they find no provisions by statute or other-

wise, other than those contained in sections 101 and 102 of chapter 14, of title 3, of the revised statutes of 1846, and which relate only to the "*successors in offic*" of such county surveyors. The office of county surveyor was, previously to the adoption of the present constitution, a *constitutional* office, as will be seen by reference to section 4 of article 7 of the former constitution of this State.

But, if this office be hereafter maintained, it must be by virtue of a statute to that effect made and provided. It will hereafter be a statutory office. The provisions contained in chapter 14 of title 7, above referred to, would apply to, and could be made to secure the object contemplated by the resolution of the House. But if the office of county surveyor be abandoned, according perhaps to the design of those who intentionally omitted mention of it, in section 3 of article 10 of the revised constitution of this State, then special and immediate provision must be made by law for the object of the resolution aforesaid, to wit: the preservation of the "records, field notes and other papers pertaining to the office of county surveyor."

What provision should be made this committee will not assume to suggest; but recommend a reference of the matter to the committee on the organization of counties.

All which is respectfully submitted.

THOS. B. CHURCH, Ch'n.

It was ordered so referred.

The Speaker announced the following communication from the Superintendent of Public Instruction.

Lansing, February 17, 1851.

To the Speaker of the House of Representatives:

Sir—I have the honor herewith to transmit to the Legislature a printed copy of the annual report required from the office of Superintendent of Public Instruction.

Very respectfully, &c.,

FRANCIS W. SHEARMAN.

On motion of Mr. Church,

The report was ordered laid on the table

Also the following message from the Senate:

SENATE CHAMBER,
Lansing, February 17, 1851.

To the Speaker of the House of Representatives:

Sir—I am instructed to transmit herewith,

Preamble and joint resolutions relative to bounty lands.

And to respectfully inform you that the Senate have passed the same, and respectfully ask the concurrence of the House therein.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of Senate.

The preamble and joint resolution were read a first and second time, and referred to the committee on public lands.

Also the following:

SENATE CHAMBER,
Lansing, February 15, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

House concurrent resolution relative to a manual for the Legislature,

And to respectfully inform you the Senate have adopted the same, with amendments, in which the concurrence of the House is respectfully asked.

I am also instructed to respectfully inform you that the Senate have appointed Senators Riley, Dort and Hayden a committee of conference on the part of the Senate, upon the disagreement between the two Houses upon the report of the joint committee of the two Houses upon the joint rules and the rules of the Senate and House of Representatives in joint Convention.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of the Senate.

The several amendments to the concurrent resolution were concurred in, and the same as amended ordered enrolled.

The Speaker announced the appointment of Messrs. D. L. Case, H. M. Moore, Chandler, Gray and Ferris, as a select committee under the resolution adopted by the House on the 15th inst., to inquire into the matter of the appropriation of 25,000 acres of land to construct a canal and locks around the rapids of Grand River, at Grand Rapids.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fitch offered the following preamble and resolutions:

Whereas, A convention of delegates from the several represen-

tative districts of this State, assembled in this Capitol on the first Monday of June, 1850, did, after a protracted and arduous session of two and one-half months, on the 15th day of August thereafter, form a new constitution for the State of Michigan, which was submitted to the people at the general election held on the first Tuesday of November, of said year, for their adoption or rejection;

And whereas, the people did (wisely or unwisely, the which it is no part of the legitimate business of this body to determine,) adopt and approve the same by an overwhelming majority of votes, thereby breathing into it the breath of life, and giving it vitality from and after the first day of January, A. D. 1851, whereby it became, in conjunction with the constitution of the United States, the laws of Congress passed in pursuance thereof, and existing treaties in conformity therewith, the supreme law of the State of Michigan, now obligatory not only on the members of this House, who are sworn to support it, but binding upon all the inhabitants of this State;

And whereas, by sundry provisions contained in that constitution, it is made the duty of this Legislature to district the State into Senatorial districts and to apportion anew the Representatives among the several counties of the State, and to adapt all the general statutes of the State to the provisions of the new constitution, as far as may be, with various other positive duties, a full schedule and detail of which it would be altogether inconvenient to hereunto attach and enumerate;

And whereas, the present session of this Legislature is virtually limited to sixty days by that provision of the constitution limiting the pay of its members to that time—a period sufficiently short for the proper performance of such manifold and arduous duties;

And whereas, one-fifth of the said sixty days has been already expended, mainly in the discussion and passage of local and private bills and incidental resolutions, not imperatively demanded by the constitution or people of the State; therefore be it

Resolved, That in the opinion of this House, the members thereof should carefully exclude from its proceedings all discussion on minor subjects and incidental questions, having for their tendency the hindrance and obstruction of the proper and legitimate duties of this Legislature; and further, be it

Resolved, That, in the opinion of this House, the members thereof should, in view of the probable sanction of this Legislature, of a general law giving to the boards of supervisors the control of the organization of townships, the laying out and altering highways, the building of bridges, the construction of dams and locks, with such other powers of a local legislative character as may be thought advisable, abstain from the further introduction into this body, of bills for local and private purposes, thereby enabling this House to attend with more promptness and continuity to the imperative duties for which it is here assembled.

Which were ordered laid on the table.

Mr. Hubbell offered the following resolution:

Resolved, That a committee of three be appointed, whose duty it shall be to draft a bill to regulate the sale of intoxicating liquors, and report the same to the House as soon as practicable. Lost.

Mr. Church moved that the several petitions now on the table, praying for an investigation into the matter of the appropriation of 25,000 acres of land made to construct a canal and locks around the rapids of Grand River, at Grand Rapids, and the communication from the Commissioner of the Land Office upon the same subject, received by this House Feb. 11th, also on the table, be taken therefrom, and referred to the select committee this day appointed to make such investigation; and that act No. 19 of session laws of 1847, act No. 125 of session laws of 1848, and acts No. 11 and 210 of session laws of 1849, and act No. 36 of session laws of 1850, be also referred to said committee.

Agreed to; and so referred.

Mr. Crosman offered the following resolution:

Resolved, That the use of this Hall be granted to Miss E. Bliss this evening, for the purpose of a concert.

Adopted.

Mr. Hitchings offered the following resolution:

Resolved, That the Attorney General be requested to attend upon such committees as have in charge the adaptation of the laws to the constitution, so far as it can be convenient for him, in order to facilitate the progress of such committees.

Lost.

Mr. Shearer moved to take from the table the following resolution offered by himself on the 15th inst.:

Resolved, That this House take up the laws of this State, and amend them so as to adapt, them to the constitution, as near as may be; that the laws be read daily in committee of the whole, or otherwise, as may be deemed best to facilitate the work, referring the same to the Senate for their action.

Agreed to.

The question was then taken on the resolution, and the same adopted.

Mr. Church moved to take from the table a bill to provide for the collection of taxes in the county of Kent.

Agreed to.

The bill was then ordered to be read a third time, under a suspension of the rules; when

Mr. Church moved that it be referred to the committee of ways and means, with instructions to strike out the word "July" in section 11, line 3, and insert the word "June," and to report forthwith.

Agreed to, and the bill so referred.

After a short time,

Mr. Britain, from the committee of ways and means, submitted the following report:

The committee of ways and means, to whom was referred a bill to provide for the collection of taxes in the county of Kent, with instructions to amend the 11th section thereof by striking out "July" and inserting "June," have performed that duty, and instructed me to report the bill to the House, and ask the concurrence of the House in said amendment, and that the committee be discharged from the further consideration of said bill.

C. BRITAIN, *Chairman*.

The report was accepted, the committee discharged, and the amendment concurred in.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,

Mr. L. Eaton,
Fenton,
Ferry,

Mr. H. M. Moore,
Patterson,
Pierce,

Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,
Earl,
J. B. Eaton,

Fowler,
Gray,
Gregory,
Guley,
H. Hall,
S. C. Hall,
Hicks,
Hennings,
Humbell,
Hyce,
Kimberly,
Lawrence,
Martin,
Mcovin,
Moone,
Montgomery,
A. H. Moore,

Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

Mr. Fitch,

1

It was then ordered, by a vote of two-thirds of all the members elected, that said act take effect and be in force from and after its passage.

UNFINISHED BUSINESS.

The House then took up, under the order of unfinished business, the following entitled bills and joint resolutions, viz:

1. A bill to authorize the assessment of certain taxes in the township of Ransom, county of Hillsdale;
2. A bill for the relief of certain purchasers of university and primary school lands;
3. A bill to authorize the Auditor General to issue certain land warrants;
4. A bill to amend an act entitled an act to amend an act entitled an act to incorporate the Corunna and Saginaw Plank Road Company;
5. A bill to provide for holding terms of the Circuit Court in the county of Sanilac;
6. A bill to authorize the re-assessment of certain taxes in the township of Baltimore, in the county of Barry;
7. Joint resolutions relative to the construction of a ship canal, around the Falls of St. Marie; and

8. Joint resolutions relative to moneys advanced by the State of Michigan in behalf of the United States, and for the amount paid by the State for expenses incurred whilst a Territory, in maintaining our Territorial boundary.

The 1st, 2d, 5th, 6th, 7th and 8th, were severally ordered engrossed for a third reading.

Mr. Britain moved that the third named bill be referred to the committee on the judiciary, with instructions so to amend the bill as to make its provisions general in their application.

Agreed to.

On motion of Mr. Turner,

The fourth was ordered laid on the table and printed.

Mr. Irvine moved that the House adjourn. Lost.

Mr. Hart, by unanimous consent, offered the following resolution:

Resolved, That the committee on printing be authorized and directed to employ a reporter of the debates of the House.

And after some remarks thereon, he moved that it be laid on the table.

Agreed to.

Mr. Church offered the following resolution:

Resolved, That the Secretary of State be requested to furnish the committee on the judiciary with such copies of the revised statutes of 1828, as said committee may require.

Adopted.

Mr. Crosmen moved to take from the table the resolution offered by Mr. P. D. Warner on the 15th inst., relative to printing 400 copies of the daily journal.

Pending the question on which,

On motion of Mr. Shook,

The House adjourned.

Lansing, Tuesday, February 18, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members answered to their names, except Mr. Wheeler.

The reading of the journal of yesterday was, by unanimous consent of the House, dispensed with.

The journal was corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Church presented the petition of Geo. J. Barker and 38 others, residents of Kent county, asking for an appropriation of money to the State Agricultural Society, for the use of said society.

Referred to the committee on agriculture and manufactures.

Mr. Hart: of John M. Deneer and 29 others, of Almont, Lapeer county, asking for the passage of laws to suppress the traffic in ardent spirits.

Referred to the committee on State affairs.

Mr. Butterfield: of A. L. Burk and 45 others, asking an appropriation to the State Agricultural Society.

Referred to the committee on agriculture and manufactures.

Mr. Sherwood: of C. Bacon and others, of Cass county, asking for an appropriation of \$600 annually, for the next three years, in addition to the sum already appropriated, to be placed at the disposal of the State Agricultural Society, to be distributed as premiums by said society, for the purpose of encouraging agriculture.

Referred to the committee on agriculture and manufactures.

Mr. Crane: of A. J. Comstock, a resident of the county of Lenawee, asking that an authority by law may be vested in the board of supervisors of each county, or in some other competent authority, to alter or vacate village plats.

Referred to the committee on towns and counties.

REPORTS OF COMMITTEES.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred

Preamble and joint resolutions relative to bounty lands,

Have had the same under consideration, report the same back without amendment, recommend its passage, and ask to be discharged from its further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, the joint resolutions referred to the committee of the whole, and placed on the general order,

Mr. Britain submitted the following report:

The committee of ways and means, to whom was referred Senate amendment to House bill to provide for the payment of members and officers of the Legislature, have had the same under consideration, and instructed me to report the same to the House, and recommend the following action of the House thereon:—

1st. Concur in the 1st, 3d and 4th sections of said Senate amendment.

2d. Strike out section 2 of said Senate amendment, and insert :

“The compensation of the President and members of the Senate, and of the Speaker and other members of the House of Representatives, shall be three dollars per day for actual attendance, and when absent on account of sickness, for the first sixty days of the session, (and nothing thereafter;) and ten cents for every mile actually traveled in going to and returning from the place of meeting. Each member of the Senate and of the House of Representatives shall also be entitled to receive five dollars for newspapers and stationery.

“The compensation of the Secretary, Engrossing and Enrolling Clerks and Sergeant-at-arms of the Senate, and of the Clerk, Engrossing and Enrolling Clerks and Sergeant-at-arms of the House of Representatives, and of the Clerks employed, with the consent of either Senate or House of Representatives, by any of the standing or special committees of either of said Houses, shall be three dollars per day for actual attendance during the session.

“The compensation of the Fireman of the Senate and of the House of Representatives, shall be two dollars per day for actual attendance during the session.

“The compensation of the Messengers of the Senate and of the House of Representatives, shall be one dollar per day for actual attendance during the session.”

In presenting to the House the above amendment for its adoption, your committee have endeavored to adhere strictly to the provisions of the revised constitution. The 15th section of the 4th article so explicitly defines the compensation of members of the Legislature, as to leave no room for a difference of opinion on that subject. Your committee, therefore, thought it advisable to state the *per diem*, mileage and stationery allowance definitely.

The 17th section of the 4th article of the revised constitution, provides that "the President of the Senate and the Speaker of the House of Representatives, shall be entitled to the same *per diem* compensation and mileage as members of the Legislature, and no more." This provision, in the opinion of the committee, fixes the compensation of the Speaker of the House of Representatives as clearly as the 15th section does that of members of the Legislature; and would also fix the compensation of the President of the Senate with equal clearness, were it not for its possible, though accidental, modification by the 20th section of the schedule, which provides that "the salary or compensation of all persons holding office under the present (old) constitution, shall continue to be the same as now (August 15th, 1850) provided by law, until superceded by their successors, elected or appointed under this constitution; and it shall not be lawful hereafter for the Legislature to increase or diminish the compensation of any officer during the term for which he is elected or appointed."

The Legislatures of 1847, '48, '49 and '50, each of them, provided by law for the payment of their respective officers and members. The laws enacted for that purpose, contain no provision repealing preceding laws, nor, in fact, do they contain any allusion to preceding laws; but seem to have been considered as merely providing for the payment of the officers and members of the Legislature passing them. Nor do they, in fact, contain any provision for the payment of the President of the Senate; but permit him to seek his compensation under the provisions of the 19th section of the 5th article of the constitution of 1835, which provides, "the Lieutenant Governor, except when acting as Governor, and the President of the Senate *pro tempore*, shall each receive the same compensation as shall be allowed to the Speaker of the House of Representatives."

It should here be borne in mind that the constitution of 1835 makes no provision for the extra compensation of the Speaker of the House; but permits him to receive such extra compensation as the respective Legislatures may allow; or as the same Legislatures might allow at their respective sessions, should they hold more than one; and provides that "the President of the Senate shall receive the same compensation as shall be allowed the Speaker of the House,"—evidently meaning, in the opinion of your committee, such compensation as shall, for the time being, be allowed by the respective Legislatures, or by any one Legislature at its respective sessions.

Your committee are of opinion that this 19th section of the constitution of 1835, was all the law in force, at the time of signing the revised constitution, which in any way provided for the compensation of the President of the Senate. That the 20th section of the schedule continues said 19th section of constitution of 1835 in force until the President of the Senate shall be superceded by a successor, elected under this constitution. That, as said 19th section provides that the Lieutenant Governor shall, except when acting as Governor, receive the same compensation as shall be allowed the Speaker of the House; that, as the 17th section of the 4th article of the revised constitution provides that the Speaker of the House of Representatives shall be entitled to the same *per diem* compensation and mileage as members of the Legislature, and no more; and, as the 15th section of the 4th article of the revised constitution provides that the compensation of members of the Legislature shall be three dollars per day for actual attendance, and ten cents for every mile actually travelled in going to and returning from the place of meeting, more than three dollars per day and ten cents per mile, could not be paid the President of the Senate, without a violation of the constitution; and that, therefore, it is the duty of the Legislature to state the compensation of the President of the Senate specifically in this bill, and thereby discourage any attempt, by a "refined" construction of the constitution, to obtain for that officer, however meritorious he may be, the extravagant compensation paid to the President of the Senate under the old constitution.

Your committee have recommended one dollar per day for the

Messengers of either House—not only from a conviction that the amount is an ample compensation for the service, but that any amount of faithful service can be obtained for that compensation—and that, therefore, the one dollar and fifty cents per day, provided in the Senate amendment, would be an unjustifiable expenditure of the public money.

CALVIN BRITAIN, Chairman.

The report was accepted, the committee discharged, and the report and bill laid on the table and ordered printed.

Mr. D. L. Case, from the committee on banks and incorporations, reported a bill to amend an act to incorporate the Portland and Lansing plank road company, approved April 3, 1848.

The report was accepted, the committee discharged, the bill read a first and second time, referred to committee of the whole, and placed on the general order.

MESSAGES.

The following message was announced by the Speaker:

SENATE CHAMBER, }
Lansing, February 17, 1851. }

SIR—I am instructed by the Senate to return herewith a bill to provide for the collection of taxes in the county of Kent,

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect; and have also, by a like vote, this day ordered a clause to be added thereto that the same take effect from and after its passage.

Also to transmit

A bill to attach the county of Barry, now in the eighth judicial circuit, to the fifth judicial circuit,

And to respectfully inform you that the same has passed the Senate by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,
Secretary of the Senate.

The first named was ordered enrolled.

The second was read a first and second time, referred to the committee of the whole, and placed on the general order.

NOTIONS, RESOLUTIONS AND NOTICES.

Mr. Beecher gave notice that he would on some future day ask leave to introduce a bill to amend section eleven, chapter twenty, title five of the revised statutes of 1846, the better to secure the collection of taxes assessed upon primary school lands.

Mr. Balcombe gave notice that at some future day he would ask leave to bring in a bill to amend the charter of the village of Battle Creek, in the county of Calhoun.

Mr. Corbin offered the following resolution:

Resolved, That the judiciary committee be instructed to inquire into the propriety of so amending sections one and seven of chapter seventy-six, title seventeen of the revised statutes, as to enlarge the powers and duties of judges of probate that they may grant orders to administrators on estates of deceased persons, to convey real estate in certain cases where contracts have been entered into and the purchasers taken possession, without a written contract, or where the court of chancery might so order and decree, and to report to this House by bill or otherwise.

Adopted.

Mr. Darius Clark offered the following resolution:

Resolved, That one thousand extra copies of the report of the Superintendent of Public Instruction be ordered printed for the use of the members of this House.

Adopted.

Mr. Shearer offered the following:

Resolved, That the committee on the judiciary be requested to report to this House to-morrow, such amendments to title one of the revised statutes and the laws of this State, so as to adapt them to the constitution now in force.

Adopted.

On motion of Mr. Bacon,

The bill to amend an act entitled an act to incorporate the Copper Falls Mining Company, approved March 15, 1848, was taken from the table, referred to committee of the whole and placed on the general order.

Mr. Britain offered the following resolution:

Resolved, That the use of this Hall be granted to J. H. Rolfe,

Esq., from four to six evenings, for the purpose of delivering a course of lectures upon the science of Astronomy.

Adopted.

By unanimous consent of the House,

Mr. Yocum introduced a bill authorizing the commissioners of highways to alter the Monroe and Grand River territorial road, and perfect the record of the same.

Read a first and second time, and referred to committee on roads and bridges.

Mr. Church, by unanimous consent of the House, made the following report:

The committee of conference on the part of the House, to act with a like committee on the part of the Senate, on the disagreement of the two houses upon the proposed amendment of joint rule No. 5, respectfully report that, having met, and having duly considered the subject matter of controversy in free conference thereon; they recommend in lieu of the proposed amendment, the following, to wit: "If said reports contain several modifications, any member may have the same divided, and the question of concurrence taken upon each modification separately.

II. H. RILEY,

Ch'n of Senate Com.

THOS. B. CHURCH,

Ch'n of House Com.

The report was accepted, the amendments concurred, in and the committee discharged.

Mr. Church, also by unanimous consent, offered the following as an amendment to the joint rules of the two houses, to stand as joint rule No. 12:

"Whenever both houses, by the constitutional vote, direct that any act or resolution shall take effect immediately, or at any time less than ninety days, a provision to that effect shall be added thereto, at the enrollment of the same, in words to this effect:—This act (or resolution) shall take effect immediately, (or in — days.

Which was considered and adopted by the House, as joint rule No. 12.

Mr. Church offered the following concurrent resolution:

And it was then ordered by a majority of all the members elect, that said bill "shall take effect and be in force from and after its passage."

A bill to authorize the assessment of certain taxes in the township of Baltimore, in the county of Barry, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Croaman,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Fenton,
Ferry,
Fowler,
Gray,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,

Mr. Minne,
Montgomery,
A. H. Moore,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker,

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NAYS.

Mr. Fitch,

1

A bill to provide for holding terms of the circuit court in the county of Sanilac, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,

Mr. Fenton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchins,
Hubbell,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Truesdell,
Turner,

Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crossman,
Earl,
J. B. Eaton,
L. Eaton,

Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

65

NAYS. .

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The House then ordered, by a vote of two-thirds of all the members elected, that the last named bill "shall take effect and be in force from and after its passage."

Also, joint resolutions relative to moneys advanced by the State of Michigan in behalf of the United States, and for the amount paid by the State for expenses incurred whilst a territory, in maintaining our territorial boundary;

Were read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Carrigan,
Covert,
Crane,
Crosman,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Fenton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery

Mr. A. H. Moors,
H. M. Moore,
Patterson,
Pierce,
Root,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker,

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NAYS.

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And joint resolutions relative to the construction of a ship canal around the falls of St. Marie, by the following vote:

YEAS

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Carrigan,
Covert,
Crane,
Crosman,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker,

64

NAYS.

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A bill for the relief of certain purchasers of university and primary school lands, was taken up for a third reading, when,

On motion, it was ordered laid on the table and printed.

The House then resolved itself into committee of the whole on the general order, Mr. Church in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House,

A bill to amend an act entitled an act to incorporate the Copper Falls Mining Company, approved March 15, 1848, with an amendment, in which they asked the concurrence of the House, and to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The amendment of the committee, which was as follows: strike out all after the word "Michigan," in line 6, section 1, and insert, "as shall be necessary for the exercise of its corporate franchises," was then concurred in, and the bill ordered engrossed for a third reading.

Mr. Marvin asked and obtained leave of absence for Mr. Wheeler for an indefinite time, on account of indisposition.

On motion of Mr. Bacon,

The House adjourned.

Lansing, Wednesday, February 19, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called and the members answered to their names except Mr. Wheeler, excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was approved.

PRESENTATION OF PETITIONS.

Mr. Gregory presented the petition of Wm. Marshall and others, of Hillsdale county, for the imposition of a specific tax of 5 mills on the dollar on lands therein mentioned, for the improvement of a road from Gray's mills to Hillsdale, and for changing the channel of Silver Creek.

Referred to the committee on roads and bridges.

Mr. Gregory also presented the petition of Lewis T. Miller and 52 others, and of Wm. Mercer and 17 others, of Hillsdale county, for a specific tax on dogs.

Referred to the committee on agriculture and manufactures.

Mr. D. L. Case: of Cyrus Lovell and others, of Ionia county, asking an appropriation for the benefit of agriculture.

Referred to the committee on agriculture and manufactures.

Mr. Corbin: of John P. Hall and 49 others, of Macomb county, for an alteration in the law respecting highway taxes.

Referred to the committee of ways and means.

REPORTS OF STANDING COMMITTEES.

Mr. Sherwood, from the committee on internal improvement, submitted the following report:

The committee on internal improvement, to whom was referred the petition of Alexander McLoed and others, for an extension of

time to construct a canal from the River Cheboygan to Lake Huron, have had the same under consideration, and ask leave to report a bill to carry out the prayer of the petitioners, recommend its passage, and asked to be discharged from the further consideration of the same.

GEO. SHERWOOD, Ch'n.

The report was accepted, the committee discharged, the bill read a first and second time, referred to committee of the whole and placed on the general order.

Mr. P. Warner, from the committee on elections, submitted the following report:

The committee on elections, to whom was referred that portion of the Governor's message relative to the election of Judges of the Circuit Courts and Regents of the University, have had the same under consideration and directed me to report a bill providing therefor, and ask to be discharged from the further consideration thereof.

P. D. WARNER, Ch'n.

The report was accepted, the committee discharged, the bill read a first and second time, ordered laid on the table and printed.

Mr. Minne, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom was referred the petition of the inhabitants of Saginaw county, praying that an act may be passed appropriating certain non-resident highway taxes for improving the Shiawassee river from Chispeuing to Bad river,

Have had the same under consideration, and have instructed me, as their chairman, to report adverse to the prayers of said petitioners, and ask to be discharged from further consideration of the same.

J. P. MINNE, Ch'n.

The report was accepted and the committee discharged from further consideration of the subject.

Mr. Church, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred the bill to amend chapter 123, title 24 of the revised statutes, concerning proceedings to recover the possession of land in certain cases, have had

the same under consideration, and would respectfully report the same back to the House and recommend the passage thereof.

T. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the bill,

On motion of Mr. Church,

Ordered laid on the table and printed.

Also the following:

The committee on the judiciary, under the request contained in the resolution of the House adopted yesterday, to report this day "such amendments to title 1, revised statutes, and the laws of this State, so as to adopt them to the constitution now in force," respectfully report to the House, title 1, chapters 1 and 2 of "the revised statutes," and therewith the following amendments, to wit: to amend said chapter 1 by striking out section 2 thereof, and inserting therefor the following substitute:

"No public act shall take effect or be in force until the expiration of ninety days from the end of the session at which the same is passed, unless the legislature shall otherwise direct by a two-thirds vote of the members elected to each house."

Also, by striking out section 5 of said chapter.

Also, by striking out in section 6 of said chapter, the word "chancellor," in the 4th and 5th lines thereof, and the words "the president of the board of internal improvement," in the 6th and 7th lines thereof. Also the words "and registers," in the 10th line thereof.

Also, to amend said chapter 2, by striking out in section 4 of said chapter, the words "the chancellor, any justice of the supreme court," and inserting therefor the words "any circuit judge."

The committee recommend the concurrence of the House in the amendments aforesaid, and ask to be discharged from the further consideration of said title.

T. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the subject referred to the committee of the whole and placed on the general order.

Mr. Hyde, from the committee on state affairs, to which was referred certain portions of the Governor's annual message, reported a bill to apportion anew the Representatives among the several coun-

ties and districts of the State, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill read a first and second time, ordered laid on the table and printed:

Mr. D. L. Case, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred A bill to amend act 109, entitled an act to incorporate the Marshall and Ionia Plank Road Company, approved March 20, 1850.

Have had the same under consideration, and have instructed me to report the same back to the House, recommend its passage, and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and said bill referred to the committee of the whole and placed on the general order.

Also the following:

The committee on banks and incorporations, to whom was referred that portion of the Governor's message which relates to banks and incorporations, have had the same under consideration, and through their chairman, report

A bill to provide for the incorporation of individuals and associations for the purpose of banking.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, the bill read a first and second time, ordered laid on the table and printed.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 18, 1851. }

To the Speaker of the House of Representatives:

Sir—I am instructed to transmit herewith,

A bill establishing police regulations for the preservation of property on the lines of rail roads, and for other purposes,

And to respectfully inform you that the Senate have passed the same, and respectfully ask the concurrence of the House therein.

Respectfully,

O. W. MOORE,
Sec'y of Senate.

Said bill was read a first and second time, and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Watkins gave notice that on some future day he would ask leave to introduce

A bill to amend an act incorporating the Tecumseh and Jackson plank road Company, by giving a further extension of time to said company.

Mr. Stetson gave notice that at some future day he would ask leave to bring in

A bill to amend the charter of the village of Kalamazoo.

Mr. Fowler offered the following resolution:

Resolved, That the committee on education be instructed to inquire into the expediency of establishing a system of free schools in accordance to the provisions of section 4 of article 13 of the constitution, and report to this House by bill or otherwise.

Adopted.

Mr. J. B. Eaton offered the following resolution:

Resolved, That the chairman of the committee on ways and means obtain the opinion of the Attorney General relative to what construction should be given to the constitution in relation to the compensation of the officers and members of the Legislature.

Adopted.

Mr. Turner moved that the bill to amend the act incorporating the Corunna and Saginaw Plank Road Company, be recommitted to the committee on banks and incorporations, with instructions to amend the same by inserting in section 2, 3d line, after the word "Corunna," "through the village of Owosso."

Which, after some conversation, he withdrew.

On motion of Mr. Ferry,

The report of the Superintendent of Public Instruction was taken from the table, and referred to the committee on education.

Mr. Fitch moved to take from the table the preamble and resolutions offered by himself on the 17th inst.

Agreed to.

Mr. P. D. Warner then moved their indefinite postponement;

Which, after some conversation, he withdrew.

Mr. Belmont moved that ten thousand copies of the resolutions be printed and sent to the county of Van Buren.

Which was afterwards withdrawn; when,

On motion of Mr. Church,

The resolutions were referred to the committee of the whole, and placed on the general order.

Mr. P. D. Warner moved to take from the table the concurrent resolution offered by himself on the 8th inst., requiring the name of the member introducing a bill when printed, to be printed thereon.

Agreed to.

The resolution was then adopted.

Mr. Church offered the following resolution:

Resolved, That act No. 22 of the session laws of 1848, and preamble and joint resolutions No. 36 of the session laws of 1849, be referred to the select committee of five, appointed on the 17th of February present, to investigate the matter of the appropriation of 25,000 acres of land for the construction of a canal at Grand Rapids; and that said committee be instructed to inquire what, if any, excess of payments from said appropriation over the amount legally due upon properly authenticated estimates, have been made from the office of the State Land Office Commissioner, to James Davis, contractor, for the construction of said canal.

Adopted.

Mr. Minne gave notice that on some future day, he would ask leave to introduce a bill to amend the charter of the village of Port Huron.

Mr. Irvine moved to reconsider the vote by which one thousand copies of the report of the Superintendent of Public Instruction was ordered printed.

Agreed to.

Mr. Irvine then moved to strike out from the resolution "one thousand," and insert "four thousand eight hundred."

Agreed to.

And the resolution, thus amended, adopted.

Mr. Baldwin announced that Henry Darling, a member elect from the county of Lenawee, was in attendance, who then appeared at the Clerk's desk, presented his credentials, subscribed and took his official oath, and took his place as a member of the House.

THIRD READING OF BILLS.

The House then took up under the order of bills for a third reading,

A bill to amend an act entitled an act to amend an act entitled an act to amend an act to incorporate the Corunna and Saginaw Plank Road Company,

And the same being under consideration,

Mr. Turner moved to recommit it to the committee on Banks and incorporations, with instructions to insert in section 2, line 3, after the word "Corunna," the words "through the village of Owasso."

And after considerable debate thereon by Messrs. Turner, Kimberly and Pierce the question was taken on the amendment, and it was not agreed to.

Mr. Hart then moved that the bill be laid on the table.

Agreed to.

A bill to amend an act entitled an act to incorporate the Copper Falls Mining Company, approved March 15, 1848,

Was then taken up for a third reading, when

Mr. Smith moved its indefinite postponement.

Which, after some conversation, he withdrew.

The bill was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Beecher,
Butterfield,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,
Earl,
J. B. Eaton,
L. Eaton,
Fenton,

Mr. Ferry,
Fitch,
Fowler,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

Mr. Barnes,
Gray,

Mr. Martin,

Mr. Truesdell,

4

Pending the announcement of the vote,

The unanimous consent of the House was asked and obtained to strike out the words "of said act," in line 4, section 1, and insert "of an act entitled an act to incorporate the Copper Falls Mining Company, approved March 15, 1848."

On motion of Mr. Church,

The concurrent resolution offered by himself, yesterday, directing the Commissioner of the State Land office to reserve from sale, certain lands, &c., was taken from the table; when

Mr. Church offered the following amendment thereto:

"And that the aforesaid Commissioner of the State Land Office be directed not to sell or to dispose of, to any person, or in any manner, whatever portion of the 1,600 acres of land, other than the original appropriation of 25,000 acres, which James Davis, the contractor for the construction of said canal, was authorized to select, by preamble and joint resolution No. 36, of the session laws of 1849, yet remain undrawn from said Land Office, or unsold, or in any manner under the control of said Commissioner.

And after some debate by Messrs. Britain and Church,

Mr. Britain offered the following amendments to the amendment:

Line 4, strike out "whatever," and insert "such."

Line 7, after "1847," insert "as have been heretofore elected and set apart for the purposes of said improvement, in pursuance of law."

Which was accepted by Mr. Church; when

Mr. D. L. Case offered a further amendment, as follows:

Insert after the word "thereof," in the last line of the original resolution, "nor for any lands for which certificates have been issued by the Commissioner of the Land Office.

Which Mr. Church also accepted; and after further debate by Messrs. Church, D. L. Case, Britain, Hart, H. M. Moore and Shearer, was accepted by Mr. Church.

The question was then taken on the resolution as amended, and the same adopted.

The following message from the Executive was received by the hands of his Private Secretary:

EXECUTIVE OFFICE,
Lansing, February 19, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act to provide for the better security of public records;

And also a joint resolution in relation to Indian claims.

JNO. S. BARRY.

The Speaker also, by consent, announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 18, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to inform you that the Senate have non-concurred in the report of the committee of conference upon the disagreement of the two Houses upon the joint rules, &c., and have re-committed the same to the committee for further consideration.

Very respectfully, &c.,

O. W. MOORE,

Sec'y Senate.

Mr. Church then moved a reconsideration of the vote of yesterday by which the House concurred in the proposed amendments of the joint committee.

Agreed to.

Mr. Church then moved to lay the report of said committee on the table.

Agreed to.

Mr. Church then moved a reconsideration of the vote by which the committee was discharged from the further consideration of the subject.

Agreed to.

Mr. Church then moved that the report be taken from the table and re-committed to the joint committee for further consideration.

Agreed to.

The House then went into committee of the whole on the general order, Mr. Hart in the chair.

And after some time, the committee arose and by their chairman reported back to the House,

A bill to amend an act entitled an act to incorporate the Portland and Lansing plank road company, approved April 3, 1848, without amendment.

A bill to attach the county of Barry, now in the eighth judicial circuit, to the fifth judicial circuit, without amendment; and

Preamble and joint resolution relative to bounty lands, with sundry amendments, and asked the concurrence of the House therein, and to be discharged from the further consideration of said bills and joint resolution.

The report was accepted, the committee discharged.

The question on the first named, being the engrossment for a third reading,

Mr. P. D. Warner offered the following amendment thereto:

Provided, That during the construction of said plank road, the said company shall in no wise prevent or improperly obstruct the usual travel thereon;

Provided further, That nothing herein contained shall be construed as conveying any other or further rights in said Grand River Road, than the State, as such, possesses.

Pending the question on which,

Mr. Minne moved that the bill be laid on the table and ordered printed.

Agreed to.

Mr. Stetson moved that the House adjourn.

Mr. Britain asked for the yeas and nays thereon, which were ordered.

The question was then taken on the motion of Mr. Stetson, and decided in the negative, as follows:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Butterfield,
S. M. Case,
Childs,
Olyburn,
Corbin,
Corrigan,
Crane,

Mr. Earl,
Fenton,
Ferry,
Fowler,
Gulley,
Hart,
Hyde,
Irvine,
Kimberly,
Martin,

Mr. Marwin,
Montgomery,
H. M. Moore,
Root,
Shook,
Stetson,
Truesdell,
W. Warner,
Yocum,

NAYE.

Mr. Beecher,
 Britain,
 Calkins,
 Chandler,
 Church,
 Darius Clark,
 David Clark,
 Covert,
 Crosman,
 L. Eaton,
 Fitch,

M. Gray,
 Gregory,
 S. C. Hall,
 Hitchings,
 Hubbell,
 Lawrence,
 Minne,
 A. H. Moore,
 Pierce,
 Sexton,
 Shearer,

Mr. Sherwood,
 Smith,
 Town,
 Turner,
 Voorties,
 Waite,
 P. D. Warner,
 Watkins,
 Wheeler,
 Speaker,

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The question then being on ordering the second named bill engrossed for a third reading,

Mr. Irvine moved to lay it on the table; and asked the yeas and nays thereon, which were not ordered.

The question then recurring on the engrossment for a third reading, after a lengthy debate by Messrs. Church, Britain, Irvine, Fitch, and Pierce,

Mr. Minne moved that the House adjourn. Lost.

The question was then further debated by Messrs. Beecher, S. C. Hall, Church, Pierce, Shearer, Turner and Truesdell; and after they had concluded, the bill was ordered engrossed for a third reading.

Mr. Crosman moved an adjournment; which motion he afterwards withdrew.

The amendments of the committee of the whole to the preamble and joint resolutions, were then severally concurred in, and the same ordered engrossed for a third reading.

Mr. Church moved that the bill to attach the county of Barry, now in the eighth judicial circuit, to the fifth judicial circuit, be now put upon its final passage.

The motion prevailed.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Barnes,
 Britain,
 Butterfield,
 D. L. Case,
 S. M. Case,
 Chandler,

Mr. Fowler,
 Gregory,
 Gulley,
 S. C. Hall,
 Hart,
 Hicks,

Mr. H. M. Moore,
 Patterson,
 Sexton,
 Shearer,
 Sherwood,
 Shock,

Church,
David Clark,
Corbin,
Corrigan,
Covert,
J. B. Eaton,
L. Eaton,
Fitch,

Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Minne,
A. H. Moore,

Smith,
Town,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Speaker,

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NAYS.

Mr. Bacon,
Baldwin,
Beecher,
Calkins,
Childs,
Darius Clark,
Clyburn,
Crane,
Crossman,

Mr. Earl,
Fenton,
Ferry,
Gray,
H. Hall,
Kimberly,
Marvin,
Montgomery,

Mr. Pierce,
Root,
Statson,
Trudsdell,
Waite,
W. Warner,
Wheeler,
Yocum,

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Pending the announcement of the vote,

Mr. Church moved to lay the bill on the table.

Agreed to.

On motion of Mr. Barnes,

The House adjourned.

Lansing, Thursday, February 20, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called, and the members all answered to their names.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Darling presented the petition of J. P. Lee, E. B. Wood and 54 others, of Lenawee county, for a law to compel the sellers of intoxicating drinks to give a bond of indemnity against all injuries resulting from such sale.

Of Elijah Anderson, Salmon Crane and 77 others, with a like prayer; of Julius Keyes, G. W. Allen and 14 others, with a like prayer; of Henry Kemp and 83 others, with a like prayer; and of

Eli Knight, Abner Wilson and 35 others, of Lenawee county, with a like prayer.

Severally referred to the committee on State affairs.

Mr. Darling also presented the petition of F. J. Scott, M. B. Corey and others, of Lenawee county, asking the Legislature to instruct our Senators in Congress to go for the repeal of the fugitive slave law; also for an act to protect the citizens of this State from the unconstitutional provisions of said law, and asked its reference to the committee on federal relations.

Mr. Turner moved to lay the petition on the table.

Agreed to.

Also the petition of J. J. Scott, Wm. Wilcox and 17 others of Lenawee county, asking this Legislature to ask the Congress of the United States to amend the constitution so as to give an equal representation in Congress to all the voters in the United States, and asked its reference to the committee on federal relations.

Mr. Turner moved to lay the same on the table.

Agreed to by the following vote:

YEAS.

Mr. Bacon,	Mr. Fowler,	Mr. A. H. Moore,
Britain,	Gregory,	H. M. Moore,
Butterfield,	Gulley,	Patterson,
S. M. Case,	S. C. Hall,	Root,
Chandler,	Hart,	Sexton,
David Clark,	Hicks,	Shearer,
Corbin,	Hitchings,	Sherwood,
Corrigan,	Hubbell,	Shook,
Covert,	Hyde,	Town,
Crane,	Irvine,	Voorhies,
J. B. Eaton,	Lawrence,	Watkins,
L. Eaton,	Martin,	Wheeler,
Fitch,	Minne,	Speaker,

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NAYS.

Mr. Balcombe,	Mr. Crosman,	Mr. Montgomery,
Baldwin,	Darling,	Pierce,
Barnes,	Earl,	Smith,
Beecher,	Ferry,	Stetson,
Calkins,	Gray,	Truesdell,
D. L. Case,	H. Hall,	Waite,
Church,	Kimberly,	P. D. Warner,
Darius Clark,	Marvin,	Yocum,
Clyburn,		

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Mr. Cresman presented the petition of Simon Holland and 28 others, of the town of Columbia, Jackson county, praying for protection against the liquor traffic.

Referred to the committee on State affairs.

Mr. Gray: of Isaac Miller and 9 others, relative to the sale of intoxicating liquors.

Referred to committee on State affairs.

Mr. Stetson: of James W. Rosebrook and Isaac Atwater; asking to change the name of a minor child.

Referred to the committee on the judiciary.

Mr. D: L. Case: the remonstrance of John Brown and others, of Ionia county, against any act appropriating the non-resident highway tax on the road leading from Portland, within the county of Ionia.

Referred to the committee on roads and bridges.

REPORTS OF COMMITTEES.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and, on the 15th inst., presented to the Governor for approval,

An act to provide for the better security of the public records.

Also reported as correctly enrolled, signed, and presented to the Governor for his approval,

An act to provide for the collection of taxes in the county of Kent.

The Speaker then announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 19, 1851. }

To the Speaker of the House of Representatives:

Sir—Herewith are returned,

A bill to authorize the assessment of certain taxes in the township of Ransom, county of Hillsdale; and

A bill to authorize the re-assessment of certain taxes in Baltimore, Barry county.

In which I am instructed to inform you the Senate have concurred, and in the last named, by a vote of two-thirds of all the Senators elect.

I am also instructed by the Senate to inform you that the Senate have concurred in the House amendment to the joint rules, the same being a new rule to stand as rule 12.

I am also instructed to transmit herewith,

A bill to amend an act entitled an act to incorporate the Algonquin Mining Company, approved March 30, 1848;

A bill to amend an act entitled an act to incorporate the Siskowit Mining Company of Michigan, approved March 12, 1849;

A bill to amend an act entitled an act to incorporate the Bohemian Mining Company of Michigan, approved March 27, 1849; and.

A bill to provide for taxing foreign corporations.

And to respectfully inform you that the Senate have passed the same; each, except the last named, by a vote of two-thirds of all the Senators elect, and respectfully asks the concurrence of the House therein.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of the Senate.

The 1st, 2d and 7th were severally ordered enrolled.

The 3d was twice read and referred to the committee on banks and incorporations.

The 4th, 5th and 6th were severally twice read and referred to the committee on mines and minerals.

The Speaker announced the appointment of Mr. Darling as a member of the committee on towns and counties.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Turner offered the following resolution:

Resolved, That the Auditor General be requested to communicate to this House, under what provision of law, or by what authority there has been made in his office, a recomputation of the interest account between the State and those counties which return an access of delinquent taxes over the amount of State tax apportioned to them, from the 1st day of July, 1843, to the 1st day of July, 1850; and why the difference between said account upon the basis of ten per cent interest upon the balance found due to such counties, at the annual settlement, hitherto allowed; and an account upon the basis of seven per cent upon such balance, as now established, has been charged to said counties.

Adopted.

Mr. P. D. Warner moved to take from the table the bill to provide

for the election of judges of the circuit courts, and regents of the university, and refer the same to the committee of the whole, and place it on the general order.

Agreed to.

Mr. Watkins, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act relative to plank roads, approved March 19, 1849.

Read twice and referred to the committee on banks and incorporations.

Mr. Britain, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act to provide for the appraisal of certain lands in Berrien county, approved April 2, 1851.

Read a first and second time, and referred to the committee on public lands.

Mr. Lawrence moved to take from the table the resolution offered by Mr. P. D. Warner on the 15th inst., relative to printing 480 copies of the daily journal.

Agreed to.

And the question being on the following substitute, offered by Mr. Irvine, for the original resolution:

"Resolved, That the printing of the daily journal be dispensed with until otherwise ordered,"

It was not adopted.

The question then recurring on the amendment offered by Mr. Hart, viz: strike out "480," and insert "one number for each of the members and officers of this House;"

Pending which,

On leave, he modified the resolution by striking out "one," in the first line thereof, and inserting "two."

Mr. Fowler then moved the indefinite postponement of the whole subject.

But the motion did not prevail.

The question again recurring on the amendment of Mr. Hart, Mr. Darling moved to strike out "two," and insert "four."

Lost.

The question was then taken on the amendment of Mr. Hart, and the same agreed to.

The question then recurring on the original resolution as amended, Mr. Crozman offered the following amendment:

Strike out "on and after Monday next," and insert, "that it take effect from and after Monday next."

Which, after some conversation, he withdrew.

Mr. Britain then offered the following as a substitute for the original resolution and amendments:

Resolved, That 240 copies of the daily journal of this House shall be printed for the use of the House, and no more.

The substitute was then adopted.

Mr. Irvine moved to reconsider the vote by which the following resolution, offered yesterday by Mr. J. B. Eaton, was adopted:

Resolved, That the chairman of the committee on ways and means obtain the opinion of the Attorney General relative to what construction should be given to the constitution in relation to the compensation of the officers and members of the Legislature.

Agreed to.

Mr. Irvine then offered the following as a substitute therefor:

Resolved, That the Attorney General be requested to deliver an opinion in writing, to this House, relative to what construction should be given to the revised constitution relative to the compensation of the officers and members of this Legislature.

Adopted.

Mr. Hart moved to take from the table the following resolution, offered by himself on the 17th inst., viz.:

Resolved, That the committee on printing be authorized and directed to employ a reporter of the debates of the House.

Which was lost, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Church,
David Clark,

Mr. Covert,
J. B. Eaton,
Gulley,
S. C. Hall,
Hart,
Irvine,
Martin,
H. M. Moore,

Mr. Patterson,
Shearer,
Shook,
Smith,
Turner,
Voorhies,
P. D. Warner,
Speaker,

NAYS.

Mr. Baldwin,	Mr. Ferry,	Mr. A. H. Moore,
Beecher,	Fitch,	Pierce,
Calkins,	Fowler,	Root,
Chandler,	Gray,	Sexton,
Childs,	Gregory,	Sherwood,
Darius Clark,	H. Hall,	Stetson,
Clyburn,	Hicks,	Truesdell,
Corbin,	Hitchins,	Town,
Corrigan,	Hubbell,	Waite,
Crane,	Kimberly,	W. Warner,
Crosman,	Lawrence,	Watkins,
Darling,	Marvin,	Wheeler,
L. Eaton,	Minne,	Yocum,
Earl,	Montgomery,	

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Mr. Darling moved a reconsideration of the vote of yesterday by which the House ordered printed 4,800 extra copies of the report of the Superintendent of Public Instruction.

After some discussion by Messrs. Darling, Gray, Irvine, Hyde, Thurber, Shearer, Hart, Hubbell, Pierce, Beecher, Britain and Balcomb, the question was taken thereon, and the motion not agreed to.

Mr. Britain offered the following resolution:

Resolved, That the committee of ways and means be authorized to employ a clerk, whenever, in the opinion of said committee, the business of said committee may require it.

Adopted.

Mr. Britain gave notice that on some future day, he would ask leave to bring in a bill to provide for the transfer of a certain record from Berrien county to Cass county.

Mr. Montgomery offered the following resolution:

Resolved, That a bill providing for the imposition of a special tax of five mills on a dollar, on a portion of the southern tier of townships of Hillsdale county, for the improvement of the Indiana or Vistula road, now referred to the committee on the judiciary, be referred to the Attorney General for his opinion as to the legality of a law imposing such a tax; and that the Attorney General be requested to report his opinion to this House.

Adopted.

The Speaker announced the following message from the Executive:

EXECUTIVE OFFICE. }
 Lansing, February 20, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act to provide for the collection of taxes in the county of Kent.

JNO. S. BARRY.

Mr. Britain offered the following resolution:

Resolved, That the Attorney General be requested to communicate to this House his opinion relative to the constitutional right of the Legislature to give to corporations an extension of time for the performance of things upon which the existence of said corporation depends.

Adopted.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }
 Lansing, February 20, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit herewith,

A bill to amend an act entitled an act for the relief of Thomas N. Bartlett,

And to respectfully inform you the Senate have non-concurred in the House substitute therefor.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of Senate

On motion of Mr. Church,

The bill was ordered laid on the table.

THIRD READING OF BILLS. '•

The House then took up preamble and joint resolutions relative to bounty land, which were read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
 Barnes,
 Beecher,
 Britain,
 Butterfield,
 Calkins,

Mr. J. B. Eaton,
 L. Eaton,
 Ferry,
 Fitch,
 Fowler,
 Gray,

Mr. A. H. Moore,
 H. M. Moore,
 Patterson,
 Pierce,
 Root,
 Sexton,

D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,
Earl,

Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Yocum,
Speaker,

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NAYS.

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The House then ordered, by a vote of two-thirds of all the members elect, that said preamble and joint resolutions take effect immediately.

The House having reached the general order, went into committee of the whole thereon,

Mr. P. D. Warner in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported back without amendment,

1. Preamble and joint resolutions relative to the duties of this Legislature in the passage of general laws, &c;

2. The report of the committee on judiciary, recommending amendments to title 1 of the revised statutes of 1846;

3. A bill to amend act No. 97, session laws of 1848; and

4. A bill to amend act 109, entitled "an act to incorporate the Marshall and Ionia Plank Road Company," approved March 20, 1850,

And asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The first, second and fourth named, were ordered laid on the table.

The third was ordered engrossed for a third reading.

Mr. Beecher asked and obtained leave of absence for Mr. Fenton, on account of sickness.

On motion of Mr. Patterson,

The House adjourned.

Lansing, Friday, February 21, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called, and the members all present except Mr. Fenton, excused on account of sickness.

By unanimous consent, the reading of the journal of yesterday was dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Darling presented the petition of C. V. H. Morris and 39 others of Lenawee county, asking the passage of a law authorizing the township of Ridgeway, in said county, to collect the taxes on certain sections of land in Blissfield, and asked the reading thereof.

The petition was read by the Clerk and referred to the committee of ways and means.

Mr. Minne: of O. B. Reed and 37 others of St. Clair county, for a law to compel the sellers of intoxicating drinks to give bonds of indemnity against all injuries resulting from such sale.

Referred to committee on State affairs.

Mr. Marvin: of John Lyon and 20 others, of L. D. Wallace and 27 others, of Moses Crane and 50 others, and of D. B. Green and 75 others, all electors of the county of Washtenaw, asking the passage of a law to regulate the sale of ardent spirits.

Severally referred to the committee on State affairs.

Mr. Town: petition of Henry H. Booth, A. J. Dedrick and others, praying that the laws of the State be so amended that all taxes shall be collected in the county where they are assessed, either by sale of the lands, or otherwise.

Also, of the board of supervisors, county treasurer, county clerk and judge of probate of the county of Allegan, asking that the present laws be so amended that the sale of lands delinquent for taxes shall be in October next after the return of such lands to the county treasurer.

Severally referred to the committee of ways and means.

REPORTS.

Mr. Hubbell, from the committee on engrossment and enrollment,

reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to authorize the assessment of certain taxes in the township of Baltimore, in the county of Barry; also,

An act to authorize the assessment of certain taxes in the township of Ransom, county of Hillsdale.

The Speaker announced the following communication from the Auditor General:

AUDITOR GENERAL'S OFFICE, }
Lansing, February 21, 1851. }

HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt of the following resolution, adopted by the House on the 20th inst:

“*Resolved*, That the Auditor General be requested to communicate to this House, under what provision of law or by what authority, there has been made in his office a recomputation of the interest account between the State and those counties which return an excess of delinquent taxes over the amount of State tax apportioned to them from the 1st day of July, 1843, to the 1st day of July, 1850; and why the difference between said account upon the basis of ten per cent. interest upon the balance found due to such counties, at the annual settlement hitherto allowed, and an account upon the basis of seven per cent. upon such balance, as now established, has been charged to said counties.”

The recomputation of interest mentioned in the above resolution, was made by my predecessor; and the reasons for so doing, appear to be clearly and distinctly set forth in the late report to the Legislature from this office, on pages 14 and 44, and in Senate document No. 29, 1850, to which I respectfully refer the House of Representatives.

Very respectfully,

Your ob't serv't,

JOHN SWEGLES, Jr.,

Auditor General.

Also, the following from the Senate:

SENATE CHAMBER, }
Lansing, February 21, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

Joint resolutions in relation to claims to land of Joseph Sansfacon and others; and

Concurrent resolution relative to printing the name of the member introducing a bill, with the bill;

And to respectfully inform you that the Senate have concurred in the first named with an amendment, in which the concurrence of the House is respectfully asked, and have non-concurred in the last named.

Also, to transmit herewith,

A bill to repeal an act to prevent the circulation of foreign notes, approved April 3, 1848; and

A bill to amend an act to incorporate the Genesee County Plank Road Company,

And to respectfully inform you that the Senate have passed the same by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

Very Respectfully,

O. W. MOORE,

Secretary Senate.

On motion of Mr. Shook,

The amendment to the first named was concurred in, and the same as amended, ordered enrolled.

The third and fourth were severally read a first and second time, and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Church moved that the communication this day received from the Auditor General, be laid on the table and ordered printed on the journal.

Agreed to.

Mr. Shearer offered the following:

Whereas, It becomes necessary that printed bills should be prepared for the adaptation of the laws to the constitution, so that they may pass their several readings and transmission to and from the Senate; therefore,

Resolved, That the committee on the judiciary be requested to report by bill to the House, such amendments to the laws of this State, as may be deemed necessary for the adaptation of the same to the constitution, as near as may be.

After some debate by Messrs. Britain, Shearer and Hart,
The question was taken thereon, and it was lost.

Mr. Gray gave notice that he would at some future day, ask leave to introduce a bill to amend certain sections in title five, revised statutes.

Mr. A. H. Moore gave notice that he would ask leave on some future day, to introduce a bill to amend an act entitled an act to amend an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846, approved April 1, 1850.

Mr. Hyde gave notice that on some future day, he would ask leave to introduce a bill to amend the charter of the Michigan Central Railroad Company.

Mr. Beecher gave notice that on some future day he would ask leave to introduce a bill for the relief of Henry Phelps.

Mr. Calkins gave notice that he would on some future day ask leave to introduce

A bill for the organization of certain townships in the county of Tuscola.

Mr. Truesdell asked and obtained the unanimous consent of the House to introduce

A bill to provide for the collection and payment of taxes assessed upon sold and part paid for university, primary school, State building, salt spring, asylum and normal school lands.

Read twice and referred to the committee on public lands.

Mr. Church moved that the preamble and joint resolutions relative to the duties of this Legislature in the passage of general laws, &c., offered by Mr. Fitch, be taken from the table.

Agreed to.

And after some discussion by Messrs. Fitch and Hart,

Mr. Hart moved that they be referred to the committee on agriculture and manufactures; which motion, after further debate, he withdrew.

Mr. Hubbell moved their indefinite postponement; which was also withdrawn.

After further discussion by Messrs. Root, Britain, Pierce and Shearer, the question was taken on the preamble and joint resolutions, and the same were adopted.

Mr. Beecher offered the following resolution:

Resolved, That the committee on printing be instructed to ascertain how far section 42, chapter 12, title 3, of the revised statutes of 1846, in relation to the printing and distribution of the last report on public instruction, has been complied with, and report the same to this House.

Adopted.

Mr. Truesdell offered the following resolution:

Resolved, That for the time being, local legislation be suspended until general laws be enacted.

Which, on motion of Mr. Church,

Was referred to the committee of the whole.

Mr. Hart offered the following resolution:

Resolved, That the adaptation of the laws to the new constitution be patched out by the Speaker to the several members of the House, and that there be a committee of five appointed on the phraseology and arrangement of the adaptation of the laws to the new constitution.

Lost.

Mr. Fitch moved that the vote by which the resolution of Mr. Hart, authorizing the committee on printing to employ a reporter, was lost yesterday, be reconsidered.

After some debate by Messrs. Fitch, P. D. Warner and Truesdell,

Mr. Darling moved to lay the motion of Mr. Fitch on the table.

Which prevailed, as follows:

YEAS.

Mr Baldwin,
Beecher,
Calkins,
Chandler,
Childs,
Darius Clark,
Clyburn,
Corbin,
Crane,
Crosman,
Darling,
Earl,
Ferry,

Mr. Fowler,
Gray,
Gulley,
H. Hall,
Hicks,
Hitchings,
Hubbell,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Mr. Pierce,
Root,
Sexton,
Smith,
Stetson,
Truesdell,
Town,
Voorhies,
Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,

NAVS.

Mr. Bacon,
Balcombe,
Barnes,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Church,
David Clark,
Corrigan,

Mr. Covert,
J. B. Eaton,
L. Eaton,
Fitch,
Gregory,
S. C. Hall,
Hart,
Hyde,
Irvine,

Mr. Martin,
H. M. Moore,
Patterson,
Shearer,
Sherwood,
Shook,
Turner,
P. D. Warner,
Speaker,

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Mr. Irvine offered the following resolution:

Resolved, That the Secretary of State be directed to transmit, at the expense of the State, one copy of the report of the Superintendent of Public Instruction to the moderator of each school district, for the use of the district board, and one copy to the librarian of each township within the State, to be deposited in the township library.

On motion of Mr. Irvine,

Ordered laid on the table.

Mr. Church moved a reconsideration of the vote by which the bill to provide for the collection of taxes assessed on sold and part paid for university, primary school, State building, salt spring, asylum and normal school lands, was referred to the committee on public lands.

Agreed to.

Mr. Church then moved to refer it to the committee of ways and means.

Agreed to, and the bill so referred.

Mr. Church offered the following resolution, which was adopted:

Resolved, That all bills and joint resolutions reported by standing committees be printed, placed on the general order and referred to committee of the whole.

The House having reached the order of third reading of bills, a bill to amend section 4 of an act entitled an act authorizing Alexander McLeod to construct a canal from the River Cheboygan to Lake Huron, was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,

Mr. A. H. Moore,
H. M. Moore,
Pierce,
Root,
Sexton,

Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Carrigan,
Covert,
Crane,
Crosman,
Earl,
J. B. Eaton,

Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Shearer,
-Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Town,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

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By unanimous consent,

On motion of Mr. Church,

The bill to amend an act entitled an act to incorporate the Portland and Lansing Plank Company, was taken from the table and ordered engrossed and read a third time.

By unanimous consent,

On motion of Mr. Pierce,

The bill to amend act 109, entitled an act to incorporate the Marshall and Ionia Plank Road Company, approved March 20, 1850, was taken from the table and ordered engrossed for a third reading.

Mr. Hart moved that

A bill to apportion anew the Representatives among the several counties and districts of this State, be taken from the table.

But the motion did not prevail.

The House having arrived at the general order, went into committee of the whole thereon,

Mr. Irvine in the chair.

And after some time spent thereon, the committee rose, and by their chairman, reported back to the House,

A bill to provide for the election of judges of the Circuit Court and regents of the University,

With sundry amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration of said bill.

The report was accepted and the committee discharged.

The amendments were then severally concurred in; when

Mr. Hyde moved that the bill be recommitted to the committee on elections, with instructions to incorporate therein a special provision for the election in the city of Detroit.

Agreed to.

By unanimous consent of the House,

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 21, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit herewith, preamble and joint resolutions relative to bounty lands, and to respectfully inform you that the Senate have concurred in the first, and non-concurred in the last House amendment thereto.

Very respectfully,

O. W. MOORE,

Sec'y of Senate.

On motion of Mr. Hart,

The House receded from their last amendment.

On motion of Mr. Hyde,

The House adjourned.

Lansing, Saturday, February 22, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members all answered to their names except Mr. Crosman and Mr. Fenton, who were excused on account of indisposition.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. P. D. Warner presented the petition of H. F. Walker, Geo. Brownell and 72 other citizens of Farmington and Southfield, Oak-

land Co., asking for the passage of a law authorizing the sale of University lands in said county at an appraised value.

Referred to the committee on public lands.

Mr. Gregory: of Lyman L. Webster, John King and 16 others, for a specific tax of 5 mills on the dollar on lands therein mentioned for the improvement of the road from Gay's Mills to Hillsdale, and for changing the channel of Silver Creek.

Referred to the committee on roads and bridges.

Mr. Britain: of James J. Randall and 14 others, for a reduction of price in sections 24 and 26, town 4 south, in range 19 west, University lands.

Referred to the committee on public lands.

Mr. Darius Clark presented resolutions of a public meeting of citizens of Marshall, Calhoun county, in reference to the traffic in ardent spirits.

Read, and referred to the committee on State affairs.

Mr. D. L. Case presented the petition of J. Newman, O. D. Parker and others, for an act incorporating a company for the purpose of establishing an academy at Portland, Ionia county.

Referred to committee on education.

Mr. Church: of Kendall Woodward and 59 others; of Godfrey Gill and 78 others, and of Robert Hutton and 74 others, residents of Kent county, asking sundry amendments to chapter 126 of title 24 R. S., relative to Mechanics lien.

Severally referred to the committee on the judiciary.

Mr. P. D. Warner, from the committee on elections, submitted the following report:

The committee on elections, to whom was referred House bill No. 9, providing for the election of judges of the Circuit Courts, and regents of the University, with instructions, have had the same under consideration, and directed me to report the same back to the House with a substitute for section one, and ask to be discharged from the further consideration of the same.

P. D. WARNER, Ch'n.

The report was accepted and the committee discharged.

The question being on concurring in the amendments of the committee of the whole to said bill, they were severally concurred in.

The question then being on adopting the substitute for section 1, as recommended by the committee,

Mr. Darling moved to lay the bill and substitute on the table.

But the motion did not prevail.

The question was then discussed by Messrs. Darling, P. D. Warner and Hart, when

Mr. Britain moved to refer the bill and substitute to the committee of the whole.

Agreed to.

Mr. Church submitted the following report from the committee of conference on rules, &c.:

The committee of conference appointed on the part of the two Houses, to confer upon the subject of a difference between the two Houses upon a proposed amendment to joint rule No. 5, respectfully report that they are unable to agree upon the matter recommitted to them by order of their respective Houses, and ask to be discharged therefrom.

H. H. RILEY,
Ch'n Sen. Com.

T. B. CHURCH,
C'h'n H. Com.

The report was accepted and the committee discharged.

The Speaker announced the following communication from the Adjutant and Quarter Master General:

ADJUTANT AND QUARTER MASTER GENERAL'S OFFICE, }
Detroit, February 17, 1851. }

TO THE HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

SIR—I have the honor herewith to transmit my Annual Report of the administration and condition of this department during the year 1850, and to remain

Very respectfully,

Your obedient servant,

J. E. SCHWARZ,

Adj. and Qr. Master Gen., M. M.

Referred to the committee on the militia.

Also the following:

SENATE CHAMBER,
Lansing, February 22, 1851. }

To the Speaker of the House of Representatives:

SIR—Herewith is transmitted joint resolutions in relation to the construction of several roads north of the mouth of Saginaw river, which the Senate have passed, and in which, I am instructed to inform you, the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,
Secretary Senate.

The joint resolutions were read a first and second time and referred to the committee on roads and bridges.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and this day presented to the Governor for his approval, a preamble and joint resolution in relation to claims to lands of Joseph Sansfacon and others.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Shearer offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker of this House to wait on the Governor, State Officers, and Senate and invite them to meet the members of this House in the Hall of the House of Representatives at half past 11 o'clock this day, to hear the reading of the Farewell Address of the Father of our country.

Adopted.

Mr. Hyde, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to authorize the sale of the Central Rail Road and to incorporate the Michigan Central Rail Road Company, approved March 28, 1846.

Read a first and second time, ordered laid on the table and printed,
On motion of Mr. Church.

Mr. Turner offered the following resolution:

Resolved, That the communication received yesterday by this House from the Auditor General, relative to the interest account between the State and those counties which return an excess of delinquent taxes over their State tax, be taken from the table and referred, with the documents therein mentioned, to the judiciary commit-

tee, with instructions to inquire into the legality of the course pursued by the late Auditor General, in charging the rate of interest heretofore allowed to said counties, and to report as soon as practicable thereon.

Adopted.

The Speaker appointed Messrs. Shearer, Church and Baldwin a committee, under the resolution of the House, to wait upon the Governor, State officers and Senate, and invite them to hear the reading of Washington's Farewell Address.

Mr. Church asked to be excused from serving on the committee.

Agreed to.

The Speaker then appointed Mr. Turner.

Mr. Watkins moved to take from the table the resolution offered by Mr. Hart to employ a reporter to the House.

Agreed to.

The resolution, which was as follows:

"Resolved, That the committee on printing be authorized and directed to employ a reporter of the debates of the House,"

Was then adopted by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Corbin,
Corrigan,
Covert,
Darling,
J. B. Eaton,

Mr. L. Eaton,
Fitch,
Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Martin,

Mr. Minne,
Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Speaker,

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NAYS.

Mr. Baldwin,
Beecher,
Calkins,
Childs,
Darius Clark,
Clyburn,
Crane,

Mr. Earl,
Ferry,
Gray,
H. Hall,
Lawrence,
Montgomery,
Pierce,

Mr. Root,
Stetson,
Truesdell,
Waite,
W. Warner,
Wheeler,
Yocum,

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Mr. Turner offered the following resolution:

Resolved, That the messengers of the House be directed to place on the desk of the clerk, daily, six copies of the journal ordered printed, for the use of said clerk.

Which, on motion of Mr. Chandler,
Was indefinitely postponed.

Mr. Church offered the following resolution:

Resolved, That an additional rule be added to the rules of the House to stand as House rule No. —, as follows:

“Whenever the report of any committee of conference contains several modifications or amendments, any member may have the same divided and the question of concurrence taken separately upon each modification.”

Adopted.

Mr. Root asked and obtained the unanimous consent of the House to introduce a bill to amend an act entitled an act to amend an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846, which was read a first and second time, and,

On motion of Mr. Ferry,

Ordered laid on the table and printed.

THIRD READING OF BILLS.

Under the order of third reading of bills, the House took up

A bill to amend act 109, entitled “an act to incorporate the Marshall and Ionia Plank Road Company,” approved March 20, 1850.

Which was read the third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darige Clark,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Sexton,
Shook,
Smith,
Stetson,
Trudsdell,
Town,

David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Darling,
Earl,
J. B. Eaton,

Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

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The bill to amend an act entitled an act to incorporate the Portland and Lansing Plank Road Company,

Was taken up for a third reading; when

Mr. D. L. Case asked the unanimous consent of the House to make an amendment thereto.

Pending which,

Mr. Hart moved to recommit the bill to the committee on incorporations, with instructions to strike out of line 6th of section 2, the words "unnecessarily and improperly," and to report forthwith.

Agreed to.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 22, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to inform you that the Senate have appointed a committee consisting of Senators Riley and Thomas, to act with a like committee on the part of the House, to make arrangements for a convention of the two Houses, to listen to the reading of Washington's Farewell Address, and respectfully ask the appointment of a like committee on the part of the House.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of Senate

The message was ordered laid on the table.

Mr. Shearer, from the special committee appointed to wait on the Governor, State officers and Senate, reported that the committee had performed the duty assigned them, and asked to be discharged.

The report was accepted and the committee discharged.

Mr. Irvine moved that the Speaker appoint a committee to wait on

the Hon. Benjamin F. Hyde, and request him to read Washington's Farewell Address, at half-past 11 A. M., inst., and that said committee report to the House.

Agreed to.

The Speaker appointed Messrs. Irvine and Montgomery as such committee.

Mr. D. L. Case, from the committee on banks and incorporations, to which was recommitted the bill to amend an act entitled an act to incorporate the Portland and Lansing Plank Road Company, with instructions, reported the same back amended, as instructed, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the amendment concurred in.

The question being on the final passage of the bill,

Mr. Fitch moved to recommit the bill to the committee on banks and incorporations, with instructions to so amend the bill that the consent of the township boards and highways commissioners of the several townships through which the road passes, shall be obtained before the company shall be allowed to take possession thereof.

Mr. Church made a point of order on the motion of Mr. Fitch.

Pending which,

On motion of Mr. D. L. Case,

The bill was ordered laid on the table.

The House, having arrived at the general order, then went into committee of the whole thereon,

Mr. Church in the chair.

After a short time the committee arose, and by their chairman reported progress, and asked leave to sit again.

The report was accepted and leave granted to sit again.

On motion of Mr. Hart,

The House took a recess until 11½ o'clock.

11½ o'clock.

The House was called to order by the Speaker.

Mr. Irvine, from the special committee, appointed to wait on the Hon. B. F. Hyde, to request him to read Washington's Farewell

Address, at 11½ A. M., reported that they had performed that duty, and that Mr. Hyde had consented to the request of the House.

The report was accepted and the committee discharged.

Mr. Hart moved that a committee of two be appointed to wait upon the Governor, State Officers and Senate, and inform them the House were now in readiness to receive them in their Hall, to hear the reading of Washington's farewell address.

Messrs. Hart and Ferry were appointed as such committee.

The Hon. the Senate were soon after announced and the Senators conducted to seats.

Mr. Hart, from the special committee appointed to inform the Governor, State officers and Senate, the House were ready to receive them in their Hall to hear the reading of the farewell address, reported that they had performed that duty and asked to be discharged.

The report was accepted and the committee discharged.

The Governor and State Officers were then announced and conducted to seats.

Washington's Farewell address to his countrymen was then read by Benjamin F. Hyde, a representative from the county of Wayne.

After the reading had been concluded,

Mr. P. D. Warner offered the following resolution:

Resolved, That the thanks of this House are hereby presented to His Excellency the Governor, the Senate and the officers of the several departments of State, for their presence upon this occasion; and to the Hon. Benjamin F. Hyde for the able and appropriate manner in which he has read the Farewell Address of the Father of our beloved country.

Adopted unanimously.

On motion of Mr. Shearer,

The House adjourned.

Lansing, Monday, February 24, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called, and the members were all present except Mr. Fenton, absent on account of sickness.

The reading of the journal of Saturday was, by unanimous consent, dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. Darling presented the memorial of Oscar G. Adams and 20 others; of Samuel Tingley, Caleb Hendershot and 65 others; and of Ira Wicks and 12 others, of Lenawee county, asking for a law to compel the sellers of intoxicating drinks to give bonds of indemnity against injuries resulting from such sale.

Referred to the committee on State affairs.

Mr. Hart: of N. Buel Eldredge and 20 others, of Dryden, Lapeer county, asking the passage of a law making those who sell spirituous liquors liable for all damages resulting from such sale.

Referred to the committee on State affairs.

Mr. A. H. Moore: of George Buck, Joseph H. Mather and 18 others, to amend an act approved March 24, 1836, authorizing George Buck to construct a dam and lock in the St. Joseph river so as to allow the construction of a shute instead of a lock.

Referred to committee on internal improvement.

Mr. Covert: of John P. Drum and 59 others, praying that a law may be passed in relation to a certain mill pond in the township of Waterford, Oakland county.

Referred to the committee on internal improvements.

REPORTS.

Mr. Britain submitted the following report:

The committee of ways and means, to whom was referred a bill to provide payment for publishing the constitution of the State, have had the same under consideration, and instructed me to report the following amendment to section 1, and ask to be discharged from the further consideration of the subject.

Add to section 1 as follows: "but no individual or firm shall be

entitled to receive more than twenty-five dollars under the provisions of this act."

The same committee, to whom was referred a bill to authorize the assessment of certain taxes in the township of Almont, Lapeer county, have had the same under consideration, and instructed me to report the same back without amendment, recommend its passage, and ask to be discharged from the further consideration of the subject.

C. BRITAIN, Ch'n.

The report was accepted, the committee discharged, and said bills referred to the committee of the whole and placed on the general order.

Mr. D. L. Case moved that he be excused from serving further on the select committee to inquire into the matter of the appropriation of 25,000 acres of land to construct a canal and locks around the rapids of Grand River at Grand Rapids.

Agreed to.

The Speaker then announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 22, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

Concurrent resolution relative to the appropriation of land for the construction of a canal around the rapids of Grand River,

And to respectfully inform you that the Senate have concurred therein, with amendments in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Sec'y of Senate.

The amendments were concurred in, and the joint resolution ordered enrolled.

On motion of Mr. Root,

The bill to amend an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846, was taken from the table and referred to the committee on banks and incorporations.

On motion of Mr. Truesdell,

The several petitions of F. J. Scott and others, in relation to the fugitive slave law, &c., were taken from the table; and,

On motion of Mr. Darling,

Referred to the committee on federal relations.

On motion of Mr. Hyde,

The bill to amend an act entitled an act to authorize the sale of the Central Railroad and to incorporate the Michigan Central Railroad Company, approved March 28, 1846, was taken from the table and referred to the committee on banks and incorporations.

On motion of Mr. Kimberly,

The bill to amend an act entitled an act to amend an act entitled an act to incorporate the Corunna and Saginaw Plank Road Company, was taken from the table.

And the question being on its engrossment for a third reading, after some debate by Mr. P. D. Warner and Mr. Church,

Mr. Church moved to lay it on the table.

Agreed to.

On motion of Mr. D. L. Case,

The bill to amend an act entitled an act to incorporate the Portland and Lansing Plank Road company, was taken from the table.

Mr. Case then moved a reconsideration of the vote of Saturday, by which said bill was recommitted to the committee on banks and incorporations, with instructions to make certain amendments thereto.

Agreed to.

And after some remarks by Mr. D. L. Case,

Mr. Britain offered the following amendments:

Amend line 6, section 1, by striking out "unnecessarily," and inserting "prevent." Make section 2 conform to section 1.

Mr. Church raised a point of order; and after some debate by Messrs. Britain, Church, Hart and D. L. Case, the question was taken on concurring in the amendments reported by the committee on banks and incorporations, and the same were nonconcurring in.

The bill was then read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Darling,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hyde,
Irvine,
Kimberly,
Martin,
Marvin,
Minne,
Montgomery,
H. M. Moore,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson.
Truesdell,
Town,
Voorhies,
Waite.
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker, 54

NAYS.

Mr. Britain,
Gregory,
H. Hall,

Mr. Hitchings,
Hubbell,

Mr. Lawrence,
A. H. Moore,

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Pursuant to previous notice,

Mr. Britain asked and obtained leave to introduce a bill to authorize the transfer of a certain record from Berrien county to Cass county.

Read a first and second time, and referred to judiciary committee.

Mr. Hart gave notice that on some future day he would ask leave to introduce a bill to authorize the Mt. Clemens and Romeo plank road company to extend their road from Almont, in Lapeer county, to Lapeer, the county site of said county.

On motion of Mr. Hyde,

The bill to apportion anew the Representatives among the several counties and districts of this State,

Was referred to the committee of the whole, and placed on the general order.

Mr. Darius Clark offered the following resolution:

Resolved, That the reporter of the debates of this House be required to furnish a copy of such reports to the office of the Detroit Free Press and Advertiser, simultaneously. Adopted.

Mr. Calkins, pursuant to previous notice, on leave, introduced a bill to provide for the organization of certain townships in the county of Tuscola.

Read a first and second time, referred to the committee of the whole, and placed on the general order.

Mr. Darling offered the following resolution, which, on his motion, was laid on the table, to wit:

Resolved, That the committee on education be instructed to inquire into the expediency of so amending the existing law relating to the State University, as to provide for the arrangement or selection of a course or courses of study in either or all of its departments, for such students as may not desire or choose to pursue the usual collegiate course embracing the ancient languages; and to provide for the admission of such persons without previous examination as to their attainments in the said languages; and for granting such certificates at the end of the term as may be appropriate to their respective attainments in the course or courses of study pursued.

By unanimous consent of the House,

Mr. D. L. Case, from the committee on banks and incorporations, reported a bill to provide for the incorporation of companies to construct plank roads.

Read a first and second time, ordered printed, and referred to the committee of the whole.

The House then resolved itself into committee of the whole on the general order, Mr. Hubbell in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House,

A bill to apportion anew the Representatives among the several counties and districts of this State, without amendment; and

A bill to provide for the election of judges of the circuit court and regents of the University, with an amendment, in which they asked the concurrence of the House, and to be discharged from further consideration of said bills.

The report was accepted and the committee discharged.

On motion of Mr. Hubbell,

The first named bill was ordered laid on the table.

The amendment to the second named, which was a substitute for section 1, and as follows, was concurred in:

"Sec. 1. *The people of the State of Michigan enact*, That at the annual township and ward meetings to be held in the several townships and wards of this State, on the first Monday of April, A. D. eighteen hundred and fifty-one, there shall be elected, one circuit judge and one regent of the University in each of the judicial circuits of this State, both of which shall be voted for upon one ballot; and for the aforesaid purpose there shall be a special election held in the several wards of the city of Detroit, on the said first Monday of April, which shall be conducted in all respects in accordance with existing provisions of law relative to elections in the said city."

Mr. P. D. Warner then offered the following amendment to stand as section 9, viz:

"Sec. 9. If any person offering to vote at any election hereafter held in this State, shall be challenged as unqualified by any inspector, or any elector entitled to vote at such election, the chairman of the board of inspectors shall declare to the person challenged, the qualifications of an elector; and if such person shall state that he is duly qualified, and the challenge shall not be withdrawn, one of the inspectors shall tender to him the following oath: "you do solemnly swear (or affirm) that you are twenty-one years of age; that you are a citizen of the United States or that you was an inhabitant of this State on the twenty-fourth day of June, eighteen hundred and thirty-five; or that you was an inhabitant of this State on the first day of January, eighteen hundred and fifty; that you have declared your intention of becoming a citizen of the United States, pursuant to the laws thereof, six months preceding this election; or that you have resided in this state two years and six months, and declared your intention of becoming a citizen of the United States six months preceding this election; or that you are a native of the United States, a civilized inhabitant of Indian descent, and not a member of any tribe; that you have resided in this State three months next preceding this day; that you have resided in this township (or ward, as the case may be) ten days, and that you have not voted at this election;" and if such person will take such oath, his vote shall be received."

Which was adopted, and the bill ordered to be engrossed and read the third time.

By unanimous consent, the Speaker announced the following message from the Executive:

EXECUTIVE OFFICE.
Lansing, February 22, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act to authorize the assessment of certain taxes in the township of Ransom, county of Hillsdale; and

An act to authorize the assessment of certain taxes in the township of Baltimore, in the county of Barry; also

Preamble and joint resolutions in relation to claims to lands of Joseph Sansfacon, and others.

JNO. S. BARRY.

On motion of Mr. A. H. Moore,
The House adjourned.

Lansing, Tuesday, February 25, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called, and the members all answered to their names except Mr. Fenton, excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent of the House, dispensed with.

The journal of yesterday was then approved.

The House then, by a vote of two-thirds of all the members elect, directed that the act to amend an act entitled "an act to incorporate the Portland and Lansing Plank Road Company," shall take effect immediately.

PRESENTATION OF PETITIONS.

Mr. Hyde presented the petition of C. Brooke, Jacob Wagner, and 638 others, mechanics and citizens of Detroit, asking the passage of laws to secure the more speedy and certain collection of wages.

Referred to judiciary committee.

Mr. Irvine: of Horace Boardman and 50 others, praying for the

organization of a county to be called the county of Grand Traverse.

Referred to the committee on the organization of towns and counties.

Mr. H. Hall: of J. D. Barnes, Wm. Hammond and 61 others, of Eaton county, asking an appropriation of \$600, in addition to the sum already appropriated, for the State agricultural society.

Referred to the committee on agriculture and manufactures.

REPORTS.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and this day presented to the Governor for approval,

Joint resolution relative to the appropriation of 25,000 acres of land to build a canal around the rapids of Grand River, at Grand Rapids.

Mr. Sherwood, from the committee on internal improvement, submitted the following report:

The committee on internal improvement, to whom was referred the petition of Geo. Buck and others of St. Joseph county, to amend an act entitled an act to construct dams and improve the navigation of certain rivers, approved March 24, 1836, have had the same under consideration, ask leave to report a bill to carry out the prayer of the petitioners, recommend its passage, and ask to be discharged from the further consideration of the same.

GEO. SHERWOOD, Ch'n.

The report was accepted, the committee discharged, the bill read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Hyde, from the committee on state affairs, to which was referred certain portions of the Governor's annual message, reported a bill to provide for taking the census and statistics for the year 1854, and every ten years thereafter, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read a first and second time, referred to committee of the whole, and placed on the general order.

Mr. D. L. Case submitted the following report from the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred a bill to amend an act to incorporate the Genesee County Plank Road Company, have had the same under consideration, respectfully report the same back to the House and recommend its passage, and ask to be discharged from further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

Mr. Minne, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom was referred the Senate joint resolutions in relation to the construction of several roads north of the mouth of Saginaw river, reported the same back without amendment, recommended its passage, and asked to be discharged from the further consideration of the subject.

J. P. MINNE, Ch'n.

The report was accepted, the committee discharged and the joint resolutions referred to the committee of the whole.

Mr. Turner, from the committee on printing, submitted the following:

The committee on printing, to whom was referred the subject of ascertaining how far section 42, chapter 12, title 3 of the revised statutes, in relation to the printing and distribution of the last annual report of the Superintendent of Public Instruction has been complied with, would respectfully report that they have made inquiry, and have learned that eight copies of said report have been laid on the desks of each member of this House, and the balance are on file with the State officers and officers of the House of Representatives; and ask to be discharged from the further consideration of said subject.

All which is respectfully submitted.

J. W. TURNER, Ch'n.

The report was accepted and the committee discharged.

Mr. D. L. Case offered the following:

The committee on banks and incorporations, to whom was referred Senate bill to repeal an act entitled an act to prevent the circulation of foreign notes, approved April 3d, 1848, have had the same under consideration, and respectfully report the same back without amendment, recommend its passage, and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Shook, from the committee on public lands, submitted the following joint resolution:

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Surveyor General of the United States at Detroit, is hereby required to make a list of all the land that has been returned into his office as swamp and overflowed land, yet unsold in the State of Michigan, and transmit the same to the Commissioner of the State Land Office, at the earliest practical period.

Ordered laid over one day, under the rule.

Mr. Church, from the judiciary committee, submitted the following report:

The committee on the judiciary, to whom was referred the bill to extend the provisions of act No. 91 of session laws of 1843, to James Dunham and James Stoughton, have had the same under consideration, and instructed me to report the same back to the House, with the opinion that the same is insufficient for the object it has in view, and ask to be discharged from the further consideration thereof.

T. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the bill ordered laid on the table.

And the following:

The committee on the judiciary, to whom was referred

A bill authorizing the transfer of a certain record from the county of Berrien to the county of Cass;

Have had the same under consideration, and instruct me to report the same back to the House, with a recommendation that it pass.

THOS. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Also the following:

The committee on the judiciary, to whom was referred the petition of Chauncey G. Pope and Thomas L. Pope, asking for the passage of a law authorizing the issue to them of a patent for certain lands in said petition described, have had the same under consideration, and have instructed me to report a bill providing for the object of said petition, of which they recommend the passage, and ask to be discharged from the further consideration of the subject.

THOS. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, the bill read a first and second time, referred to the committee of the whole and placed on the general order.

Also the following:

The committee on the judiciary, to whom was referred the communication received by the House from the Auditor General relative to the interest account between the State and counties which return an excess of delinquent taxes over their State tax, with instructions to inquire into the legality of the course pursued by the late Auditor General in changing the rate of interest heretofore allowed to the aforesaid counties, have had the same under consideration and have instructed me to report thereupon:

That section 91 of chapter 20 of title 5 of the revised statutes provides that "the Auditor General shall state the accounts of the several county treasurers, on the first day of July in each year, allowing to the several counties ten per cent interest on such portion of taxes unpaid on the first day of February in the same year, as shall belong to them for township and county purposes," and that they can find no other provision of law altering or abrogating the instruction given to the Auditor General in the section above quoted.

And that they find in section 32 of chapter and title aforesaid, provision for the payment of interest at the rate of fifteen per cent to the State, either by the hands of the several county treasurers or of the Auditor General, upon all taxes returned as unpaid on the first day of February next after their assessment, together with all office

charges thereon; so that the taxes upon which the first section cited, directs the Auditor General to pay after the first day of July in each year, ten per cent interest, actually draw fifteen per cent interest to the office of the said Auditor General from the first day of February in such year, five months before his liability to pay the said ten per cent interest accrues.

And that the deduction of three per cent upon the rate of interest fixed by law to be paid to the counties which stand in the relation of creditors to the State, made by the late Auditor General in July, 1850, was unwarranted and illegal; and that the recomputation of the interest account between such counties and the State then ordered by the said Auditor General, and that the charging to said counties of the difference between the sum total of interest, due them upon a basis of ten per cent, and upon a basis of seven per cent, shown by the said recomputation, back to July 1st, in the year 1843, is also unwarranted and illegal.

And that they therefore report to the House a joint resolution providing for the adjustment of the said interest accounts between the said counties and the State, and its disposition hereafter according to the rule established in the section of the revised statutes first above quoted; of which joint resolution they recommend the passage and ask to be discharged from the further consideration of the subject.

THOS. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, the joint resolution read a first and second time, referred to committee of the whole and placed on the general order.

And also the following:

The committee on the judiciary, to whom was referred the Senate bill providing for the issue of certain land warrants to one C. D. W. Gibson, with instructions so to amend the same as to make its provisions general in their application, have had the same under consideration, and have instructed me to report the same back, with the opinion that it would be inexpedient so to do, as the encouragement thereby held out to delay, on the part of those holding that class of certificates mentioned in the aforesaid bill, would tend to disarrange the business of the office of the Auditor General, and greatly retard the final settlement of the numerous accounts opened in the said of-

rice, under the various appropriations of land for the purpose of internal improvement, made by laws of this State. The bill under consideration originated in peculiar circumstances, and the committee recommend its passage and ask to be discharged from the further consideration thereof.

T. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

The Speaker announced the following communication from the Secretary of State:

OFFICE OF THE SECRETARY OF STATE, }
Lansing, February 24, 1851. }

HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

SIR:—I have the honor to transmit herewith, an abstract of the reports of the Superintendents of the Poor for the several counties in the State of Michigan, for the year 1850, as received at this office.

Very respectfully yours,

C. H. TAYLOR,
Secretary of State.

On motion of Mr. Hyde,

Ordered laid on the table and printed.

And the following from the Attorney General:

OFFICE OF THE ATTORNEY GENERAL, }
Lansing, February 24, 1851. }

To the Hon. the House of Representatives:

I have received from the Clerk of the House of Representatives, a resolution, requesting the Attorney General to give a construction to the revised constitution, relative to the compensation of the officers and members of the present Legislature.

By the provisions contained in section fifteen of the fourth article of the constitution, the compensation of members is fixed at three dollars a day for actual attendance, for the first sixty days of the session of the year one thousand eight hundred and fifty-one, and for the first forty days of every subsequent session, and nothing thereafter. It is also provided in the same section, that they shall be entitled to ten cents and no more for every mile actually traveled, going

to and returning from the place of meeting, on the usually traveled route.

There can be no doubt, that the general law providing for the payment of the officers and members of Legislatures, approved January 16, 1850, is repugnant to these provisions, so far as it relates to the *per diem* allowance of members. The members of the present Legislature, it will be seen at a glance, are, in direct terms, embraced in the first clause of the constitutional provision. The subsequent clause, regulating the mileage of members, is no less unequivocally expressed. They shall be entitled to ten cents and no more for every mile actually traveled. This refers as pointedly to the Legislature of eighteen hundred and fifty-one, as the preceding clause. Both provisions, are, in fact, too plain to leave room for any other construction, than that the compensation of the members of this Legislature, is fixed by the constitution, at three dollars a day for attendance, and ten cents for every mile actually traveled, in going to and returning from, the place of meeting.

The seventeenth section of the article provides, that the President of the Senate, and the Speaker of the House of Representatives, shall be entitled to the same *per diem* compensation and mileage, as members of the Legislature, and no more. The only question arising in the construction of this provision, which I shall consider, is, whether the Speaker of the House of Representatives, is entitled to a *per diem* allowance as Speaker, independently of his pay as member. The language of the section is not so explicit as to relieve it from doubt; nevertheless I am inclined to the opinion, that it was intended to place the Speaker upon the same footing with the other members of the Legislature. The provision must have been adopted with reference to the custom that has heretofore prevailed in the election of Speakers. It has been the uniform practice of the popular branch of every Legislature, since the organization of the government, to select the Speaker from among the members. Such too has been the practice in other States. The contingency which might lead to a different practice, does not appear to have occurred to the Convention, for no reference is made to it. The provision should, therefore, be construed in view of the prevailing custom. A strict literal construction, then, would give to the Speaker twice the pay

of a member; that is, three dollars a day as Speaker, and three dollars a day as member of the House. Nor is this all. He would in like manner be entitled to ten cents mileage as Speaker, and a similar allowance as member. The provision making an allowance for mileage, cannot be regarded in the light of compensation for services. The real object of such appropriation is, to defray the traveling expenses actually and necessarily incurred by members. The Speaker however would be as clearly entitled to constructive mileage, as to the per diem allowance. Another inconsistency, equally, striking, would also be involved in a literal construction of the provision. It would create an inequality in the compensation of the Speaker of the House, and the President of the Senate. Should the provision be construed to give the Speaker three dollars a day, exclusive of his pay as member of the House, by the same construction, the President of the Senate would only receive three dollars per day, or the compensation of a member. An inequality like this in the compensation of officers whose duties are so nearly identical, could not have been intended. These inconsistencies, flowing from a literal construction, are too palpable to escape attention. Their consideration will tend to remove whatever there may be of doubtful import, in the language of the section. In view of them, I feel compelled to adopt a construction which will give to the Speaker the same compensation he would have been entitled to, had he not been elected to that office.

The compensation of the President of the Senate will depend upon the construction to be given to section twenty of the Schedule, which provides that the salary or compensation of all persons holding office under the former constitution, should continue to be the same as then provided by law. I forbear, however, to express an opinion as to the effect of this provision, for reasons which will readily occur to the House.

WILLIAM HALE,
Attorney General.

Ordered laid on the table and printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Darling offered the following resolution:

Resolved, That the ratio of representation for the House of Representatives of this State be ———, and that the committee on State

affairs be, and they are hereby instructed to report a bill to this House in conformity therewith.

On motion of Mr. Hyde,

Ordered laid on the table.

Mr. Ferry gave notice that he would on some future day ask leave to introduce a bill to vacate certain villoge plats in the county of Ottawa.

Mr. Irvine gave notice that on some future day he would ask leave to introduce a bill to amend an act entitled an act to authorize Alexander McLeod to build a dam across the Cheboygan river, in the county of Cheboygan, approved April 23, 1846.

On motion of Mr. Church,

The bill to amend an act entitled an act for the relief of Thomas N. Bartlett, approved April 2, 1850,

Was taken from the table and referred to the committee on the judiciary.

On motion of Mr. Hyde,

The bill to amend chapter 123, title 24 of an act entitled an act for revising and consolidating the general statutes of the State of Michigan," approved May 18, 1846, concerning proceedings to recover the possession of land in certain cases,

Was taken from the table and referred to the committee of the whole.

Mr. D. L. Case moved to take from the table,

A bill to provide for the incorporation of individuals and associations for the purpose of banking, and that it be placed on the general order and referred to the committee of the whole.

Agreed to.

Mr. Shearer offered the following resolution:

Resolved, That when printed bills of this House are read or reported by committees, that the number of the same be named.

Adopted.

On motion of Mr. Wait,

The bill for the relief of certain purchasers of university and primary school lands,

Was taken from the table, and placed on the order of bills for a third reading.

THIRD READING OF BILLS.

The bill to provide for the election of judges of the circuit courts and regents of the University, was read a third time and passed by the following vote:

YEAS.

Mr. Baldwin,	Mr. J. B. Eaton,	Mr. A. H. Moore,
Barnes,	L. Eaton,	Patterson,
Beecher,	Ferry,	Pierce,
Britain,	Fitch,	Root,
Butterfield,	Fowler,	Sexton,
Calkins,	Gray,	Shearer,
D. L. Case,	Gregory,	Sherwood,
S. M. Case,	H. Hall,	Shook,
Chandler,	S. C. Hall,	Stetson,
Childs,	Hart,	Town,
Church,	Hitchins,	Truesdell,
Darius Clark,	Hubbell,	Turner,
David Clark,	Hyde,	Voorhies,
Clyburn,	Irvine,	Waite,
Corbin,	Kimberly,	P. D. Warner,
Corrigan,	Lawrence,	W. Warner,
Covert,	Martin,	Watkins,
Crane,	Marvin,	Wheeler,
Crossman,	Minne,	Yocum,
Darling,	Montgomery,	Speaker,
Earl,		61

NAYS.

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The House then directed, by a vote of two-thirds of all the members elected, that said act shall take effect immediately.

On motion of Mr. Church,

The bill to amend section 5 of chapter 70, of title 17 of the revised statutes; and

The bill to provide for the payment of the officers and members of the Legislature,

Were taken from the table, referred to the committee of the whole, and placed on the general order.

Mr. Hyde asked and obtained leave of absence for Mr. H. M. Moore, on account of sickness.

The House then,

On motion of Mr. Hart,

Went into committee of the whole on the general order,

Mr. Fitch in the chair.

After sitting some time, the committee rose and by their chairman reported back to the House,

1. A bill to provide for the payment of the officers and members of the Legislature, with amendments;

2. A bill to amend section five of chapter seventy of title seventeen of the revised statutes, without amendment; and

3. A bill to amend chapter 123, title 24, of an act entitled an act for revising and consolidating the general statutes of the State of Michigan, approved May 18, 1846, concerning proceedings to recover the possession of land in certain cases, upon which they had made some progress, and asked leave to sit again thereon.

In all which they asked the concurrence of the House, and to be discharged.

The report was accepted and the committee discharged from further consideration of the first named bill.

The second was referred back to the committee for further consideration.

The committee had leave to sit again on the third.

The amendments of the committee to the bill to provide for the payment of the officers and members of the Legislature, were severally concurred in and the same ordered engrossed for a third reading.

By unanimous consent, the Speaker announced the following message from the Executive:

EXECUTIVE OFFICE, }
Lansing, February 25, 1851. }

To the Senate and House of Representatives:

I herewith transmit the annual report of the Board of Trustees of the Michigan Asylum for the education of the deaf and dumb and blind, and of the Asylum for the insane.

JNO. S. BARRY.

On motion of Mr. Turner,

Ordered laid on the table and printed.

And also the following:

EXECUTIVE OFFICE, }
Lansing, February 26, 1851. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

Joint resolution relative to the appropriation of twenty-five thousand acres of land to build a canal around the rapids of Grand River, at Grand Rapids.

JOHN S. BARRY.

And the following from the Senate:

SENATE CHAMBER,
Lansing, February 25, 1851. }

To the Speaker of the House of Representatives:

SIR—Herewith, is transmitted,

A bill to repeal an act entitled an act to provide for Statistical Information, approved April 3, 1848, which I am instructed to inform you the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Secretary Senate.

The bill was read a first and second time and referred to the committee on State affairs.

On motion of Mr. Hart,

The House adjourned.

Lansing, Wednesday, February 26, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members all present except Mr. Fenton, excused on account of sickness.

By unanimous consent, the reading of the journal of yesterday was dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Hart presented the petition of A. N. Hart and 12 others, of Lapeer, Lapeer county, asking the appropriation of \$600 annually, for the next three years, in addition to the sums already appropriated, to be distributed by the State Agricultural Society.

Of Harvey Gray and 22 others, of Lapeer, Lapeer county, to the same effect.

Severally referred to the committee on agriculture and manufactures.

Mr. Montgomery presented the remonstrance of Harris W. Odell and 28 others, of the towns of Amboy and Ransom, Hillsdale county, against the project of turning the channel of Silver creek, in their vicinity, by a local tax.

Referred to the committee of ways and means.

Mr. Hyde presented the memorial of James F. Joy, counsel for the Michigan Central Rail Road Company, and asked its reference to the committee on banks and incorporations.

It was ordered so referred.

REPORTS.

Mr. Hyde from the committee on State affairs, to which was referred Senate bill to repeal an act to provide for statistical information, approved April 3, 1848, reported the same back to the House and recommended its passage.

The report was accepted, the committee discharged and the bill referred to the committee of the whole, and placed on the general order.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred the petition of Isaac Fairchild and others, residents of the town of Lowell in the county of Kent, asking for a grant or lease of five acres of section 1 of town 6 north, of range 9 west, for the use of school district No. 1 of said town, have had the same under consideration, and have instructed me to report adverse to the prayer of said petitioners.

Also a bill to amend an act to provide for the appraisal of certain lands in Berrien county, approved April 2, 1850, and report the same back without amendment, recommend its passage, and ask to be discharged from its further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. D. L. Case, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, through their chairman, respectfully report

A bill to provide for the incorporation of railroad companies.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill read a first and second time, referred to the committee of the whole and placed on the general order.

The Speaker appointed, to fill a vacancy made in the select committee on the Grand Rapids canal by the resignation of Mr. Case, the chairman, Mr. Montgomery, of Hillsdale, to act as an additional member of said committee.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. P. D. Warner,

The bill to extend the provisions of act No. 91 of session laws of 1843, to J. W. Durham and James Stoughton, and the petition of said Durham and Stoughton, were taken from the table and referred to the committee on public lands.

Mr. Gray gave notice that he would at some future day introduce

A bill to amend an act to provide for the draining of swamps and marshes.

Mr. Ferris, on leave, pursuant to previous notice, introduced a bill to vacate certain village plats in the county of Ottawa.

Read a first and second time and referred to committee on the judiciary.

Mr. Barnes offered the following resolution:

Resolved, That the committee of ways and means be instructed to report by bill or otherwise, defining the duties of the Sergeant-at-Arms.

Adopted.

Mr. A. H. Moore gave notice that he would, on some future occasion, introduce a bill to vacate a part of the village plat of the village of Mottville.

THIRD READING OF BILLS.

The House then took up a bill for the relief of certain purchasers of University and primary school lands,

Which was read a third time and passed, by the following vote:

YEAS

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Carrigan,
Covert,
Crane,
Crosman,
Darling,

Mr. Earl,
L. Eaton,
J. B. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
A. H. Moore,

Mr. H. M. Moore,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

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The House then ordered, by a vote of two-thirds of all the members elect, that said act shall take effect immediately.

A bill to provide for the payment of the members and officers of the Legislature, was then taken up for a third reading, when

Mr. Britain asked and obtained the unanimous consent of the House to amend the same by inserting the words "on the usually traveled route," between the words "meeting" and "each," in line 10, sec. 2.

Mr. Crosman then moved to recommit the bill to the committee of ways and means, with instructions to so amend as to give the clerks of committees but two dollars per day.

And after some debate by Messrs. Crosman and Turner,

Mr. Church moved to amend the instructions by increasing the pay of the fireman to \$3 per day.

Mr. D. L. Case then moved to amend the amendment as follows: "and the messengers each \$1 50 a day."

Agreed to.

The question was then taken on the amendment as amended, offered by Mr. Church, and the same agreed to.

The question then recurring on the motion of Mr. Crosman, as amended, the ayes and noes were called for but not ordered.

The question was then discussed by Messrs. Britain, Crosman and Church, and the same was not agreed to.

The question then being on the final passage of the bill, after an extended debate thereon, by Messrs. Irvine, Fitch and Britain,

Mr. Hyde moved to lay the bill on the table.

But the motion did not prevail.

The debate was then continued by Messrs. Britain, Irvine and Hart;

And when they had concluded, the bill was read a third time and passed, by the following vote:

YEAS.

Mr. Balcombe,	Mr. J. B. Eaton,	Mr. H. M. Moore,
Baldwin,	L. Eaton,	Pierce,
Barnes,	Ferry,	Root,
Beecher,	Fitch,	Sexton,
Britain,	Fowler,	Shearer,
Butterfield,	Gray,	Sherwood,
D. L. Case,	Gregory,	Shook,
S. M. Case,	H. Hall,	Smith,
Chandler,	S. C. Hall,	Stetson,
Childs,	Hicks,	Trudsdell,
Church,	Hitchings,	Town,
Darius Clark,	Hubbell,	Turner,
David Clark,	Kimberly,	Voorhies,
Clyburn,	Lawrence,	Waite,
Corbin,	Martin,	P. D. Warner,
Corrigan,	Marvin,	W. Warner,
Covert,	Minne,	Watkins,
Crane,	Montgomery,	Yocum,
Darling,	A. H. Moore,	56

NAYS.

Mr. Crosman,	Mr. Irvine,	Mr. Wheeler,
Hart,	Patterson,	Speaker,
Hyde,		7

The House then directed by a vote of two-thirds of all the members elect, that it take effect immediately.

UNFINISHED BUSINESS.

The House then took up, under the order of unfinished business, the following resolution, offered by Mr. Shook on yesterday:

Resolved by the Senate and House of Representatives of the State of Michigan, That the Surveyor General of the United States at Detroit, is hereby required to make a list of all the land that has been returned into his office as swamp and overflowed land, yet unsold

in the State of Michigan, and transmit the same to the commissioner of the State Land Office, at the earliest practical period.

To which, Mr. Shook offered the following amendment:

Strike out the words "Senate and," in the first line; and strike out all after the word "Michigan," in the second line, and insert the following: ("the Senate concurring) That the Hon. Charles Noble, United States Surveyor General, at Detroit, be respectfully requested to cause to be furnished and transmitted to the Legislature of the State of Michigan, copies of the field notes, maps and surveys of the public lands in the State of Michigan, designating the swamps and overflowed lands donated to this State by the government of the United States."

Adopted.

The question was then taken on the resolution as amended, and the same adopted.

The House then resolved itself into committee of the whole on the genral order,

Mr. Turner in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House,

1. A bill to amend chapter 123, title 24, of an act entitled an act for revising and consolidating the general statutes of the State of Michigan, approved May 18, 1846, concerning proceedings to recover the possession of land in certain cases;

2. A bill to amend section 5 of chapter 70 of title 17 revised statutes of 1846, and

3. Joint resolutions in relation to the construction of several roads north of the mouth of the Saginaw river; the first and third with amendments.

Upon all which they had made some progress, and asked leave to sit again thereon.

The report was accepted, and the committee had leave to sit again on the first named bill.

On motion of Mr. Church,

The committee were discharged from further consideration of the second named.

Mr. Church moved that the committee be discharged from the further consideration of the third.

After a lengthy debate by Messrs. Britain, Church, Turner, Shearer and Irvine,

The motion prevailed.

When, on motion of Mr. Butterfield,

The House adjourned.

Lansing, Thursday, February 27, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called, and the members all present except Mr. Featon, excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. P. D. Warner presented the memorial of Esau Carpenter and others, of Southfield, Oakland county, asking a reduction of the price of University lands in said township.

Referred to the committee on public lands.

Mr. Corrigan: the petition of Edward G. Morton, Daniel S. Bacon and 153 other citizens of the city of Monroe, asking an amendment to the charter of said city, and the acts thereto amendatory, so as to permit the people of said city to elect their collector and clerk, and that the aldermen be elected for the term of two years.

Referred to the committee on judiciary.

Mr. Hitchings presented the petition of Jabez Allman and 40 others, of Jackson county;

Mr. Shook: of Calvin Davis and 9 others of the board of supervisors of Macomb county;

Mr. Shearer: of A. Merritt, D. H. Hume, J. Curtiss, S. Walker, and 52 others, citizens of Wayne county;

Mr. Truesdell: of S. B. Noble and 23 others, citizens of Ann Ar-

bor, Washtenaw county; and of Othniel Hall and 127 others, electors of Lenawee county; and

Mr. Darius Clark: of 104 electors and 32 ladies of the county of Calhoun;

All asking for the passage of laws regulating the sale of intoxicating drinks, and to compel the venders thereof to give security for all damages resulting from such sale.

Severally referred to the committee on State affairs.

REPORTS.

Mr. Britain, from the committee of ways and means, to whom was referred the remonstrance of Harris W. Odell and others, of Amboy and Ransom, Hillsdale county, against the project of turning the channel of Silver Creek, reported the same back, and recommended its reference to the committee on roads and bridges, asking to be discharged from the further consideration thereof.

The report was accepted the committee discharged, and the remonstrance referred to the committee on roads and bridges, as recommended.

MESSAGES.

The following message was announced by the Speaker:

SENATE CHAMBER,
Lansing, February 26, 1851. }

SIR—I am instructed to return herewith,

Joint resolution relative to moneys advanced by the State of Michigan in behalf of the United States, and for the amount paid by the State for expenses incurred whilst a territory; and

Joint resolution relative to the construction of a ship canal around the Falls of Ste Marie;

And to respectfully inform you that the Senate have concurred therein. Also, to transmit

A bill to provide for the discharge of the duties heretofore performed by masters in chancery;

And to respectfully inform you that the Senate have passed the same by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

Very Respectfully,

O. W. MOORE,

Secretary Senate.

The 1st and 2d were ordered enrolled.

The 3d was read a first and second time, and referred to the judiciary committee.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fitch offered the following resolution:

Resolved, That hereafter, until otherwise ordered, this House shall hold two sessions daily, the morning session to commence at 9 o'clock A. M., and the afternoon session at 2 o'clock P. M.

Mr. P. D. Warner moved to amend by striking out "hereafter," in the first line, and inserting "from and after Monday next."

Pending the question on which,

On motion of Mr. Covert,

The whole subject was indefinitely postponed.

Mr. A. H. Moore, pursuant to previous notice, on leave, introduced a bill to vacate a portion of the village plat of the village of Mottville, in St. Joseph county.

Read a first and second time, and referred to the judiciary committee.

Mr. Baldwin gave notice that he would ask leave on some future day, to bring in a bill to amend an act entitled an act to incorporate the Indiana and Adrian plank road company.

Mr. Kimberly gave notice that on some future day he would ask leave to introduce a bill to vacate a part of Cary's addition to the village of Corunna.

Mr. Truesdell offered the following resolution:

Resolved, That the several petitions on the subject of the sale of ardent spirits, introduced into the House, be referred to a select committee of three; which,

On motion of Mr. Hart,

Was laid on the table.

UNFINISHED BUSINESS.

Under the order of unfinished business, the House then took up the following bill and joint resolution, reported back on yesterday by the committee of the whole, to wit:

A bill to amend section 5 of chapter 70 of title 17, revised statutes of 1846; and

Joint resolution in relation to the construction of several roads north of the mouth of the Saginaw river.

The first named was ordered to be engrossed and read a third time.

The question on the second named, being on concurring in the amendments reported by committee of the whole,

Pending which,

Mr. A. H. Moore moved that the bill and amendments be referred to a select committee of one from each Senatorial district.

Agreed to.

The House then went into committee of the whole on the general order, Mr. Church in the chair.

And after some time spent thereon, the committee rose, and by their chairman, reported back to the House,

A bill to amend chapter 123, title 24, of an act entitled an act for revising and consolidating the general statutes of the State of Michigan, approved May 18, 1846, concerning proceedings to recover the possession of land in certain cases; for which they had adopted a substitute; asked the concurrence of the House therein, and to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

Mr. Hart moved that the House adjourn.

Which motion he withdrew; when

Mr. Turner asked leave of absence for Mr. David Clark, on account of sickness.

Granted.

On motion of Mr. Irvine,

The House adjourned.

Lansing, Friday, February 28, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called, and the members all answered to their names.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Crosman presented the petition of William Martinau, Reuben Smith and 96 others, of Stockbridge, Ingham county;

Mr. Shook: of O. W. Delano and 38 others, of Mt. Clemens, Macomb county;

Mr. Butterfield: of Wm. B. Perrott and 54 others, of Buchanan, Berrien county;

Mr. Hart: of G. W. Terry and 79 others, of Lapeer county; and

Mr. Hyde: of James A. Cole, N. M. Wells, E. Bingham and 27 other citizens of Detroit;

All asking legislative action in regard to the license laws and the traffic in ardent spirits.

Severally referred to the committee on State affairs.

Mr. Hicks presented the petition of Henry Bishop and 32 others, of Oakland county, praying for an act to incorporate the Birmingham and Pontiac plank road company.

Which petition was accompanied by a bill.

Referred to committee on banks and incorporations.

Mr. Sherwood, of J. Lofland and 58 others of Cass county, asking the passage of a law to prevent the taking of fish in a certain lake therein named, in said county, either with seines, nets, or by spearing.

Referred to the committee on agriculture and manufactures.

Mr. Butterfield: of Jacob Beeson and others, of Berrien county, asking for a reduction in the price of certain lands in Berrien county.

Referred to committee of ways and means.

Mr. Minne: of D. B. Harrington, M. S. Gillett and 20 others, of St. Clair county, asking an appropriation, annually, of \$600 for 3 years, to be placed at the disposal of the State Agricultural Society.

Referred to the committee on agriculture and manufactures.

Mr. Shearer: of J. A. Austin and 80 others, tax payers of Wayne county, asking for an alteration in the assessment laws, so that all lands which lay adjoining, divided by township lines, shall be assessed where the mansion house is situated.

Referred to committee of ways and means.

Mr. Crane: of A. J. Comstock and 15 others, stockholders and

directors in the Bean Creek plank road company, for permission to extend their road and increase their capital stock.

Referred to committee on banks and incorporations.

Mr. D. L. Case: of A. Newman and others, asking the appropriation of the non-resident highway taxes on a road leading west from Portland, in the counties of Ionia and Kent.

Referred to the committee on roads and bridges.

The Speaker appointed Messrs. A. H. Moore, Minne, Irvine, Gregory, Fowler, Town and Ferry, a select committee on the joint resolutions relative to the construction of several roads north of the mouth of Saginaw river.

MESSAGES.

The Speaker announced the following message:

SENATE CHAMBER,
Lansing, February 28, 1851. }

To the Speaker of the House of Representatives:

SIR:—I am instructed to return herewith,

A bill to provide for the payment of the members and officers of the Legislature, and to inform you that the Senate have concurred in the House amendments to the Senate substitute therefor, with amendments in which the concurrence of the House is respectfully asked, and have directed the bill to take immediate effect, by a vote of two-thirds of all the Senators elect.

Also to return a bill to amend section four of an act entitled an act authorising Alexander McLeod to construct a canal from the river Cheboygan to Lake Huron, and to respectfully inform you that the Senate have by a vote of two-thirds of all the Senators elect, passed a substitute therefor, and in which the concurrence of the House is respectfully asked.

Also, to transmit a bill to amend sections two, three, four, five and six, of an act to create a road fund for the benefit of the German Colonists in Saginaw County, and to authorize the appointment of commissioners to expend the same, approved March 31, 1849, and provide that the duties heretofore performed by special commissioners, shall be performed by certain highway commissioners, and

A bill authorizing the board of State Auditors to examine and settle the claim of the Detroit and Birmingham plank road company.

Each of which, I am instructed to inform you the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

Secretary of the Senate.

The first amendment to the first named, which was as follows, was concurred in:

After "Representatives," in line 19, insert "and of the reporters of either house."

The second amendment, as follows, viz:

Also insert in last line but one, relative to the pay of messengers, after "one dollar," the words "and fifty cents," was non-concurred in.

The third amendment, as follows:

Also amend by inserting, "and to the members of the House and the Senator from the Upper Peninsula, two dollars per day additional."

Mr. Church moved to amend by inserting after the word "additional," the words "during the session."

Mr. Britain moved to amend the amendment by adding "not exceeding sixty days."

Pending the question on which, the bill and Senate amendments were,

On motion of Mr. Church,

Laid on the table and ordered printed.

The substitute for the second named bill was concurred in, and the bill ordered enrolled.

The third was read a first and second time, and referred to the committee on roads and bridges.

The fourth was read a first and second time, and referred to the committee on the judiciary.

THIRD READING OF BILLS.

A bill to amend section 5, chapter 70, title 17, of the revised statutes, was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,

Mr. Ferry,
Fitch,
Fowler,

Mr. A. H. Moore,
Patterson,
Pierce,

Britain,
 Butterfield,
 Calkins,
 S. M. Case,
 Chandler,
 Childs,
 Church,
 David Clark,
 Clyburn,
 Corbin,
 Corrigan,
 Covert,
 Crane,
 Crosman,
 Darling,
 Earl,
 J. B. Eaton,
 L. Eaton,

Gray,
 Gregory,
 Gulley,
 H. Hall,
 S. C. Hall,
 Hart,
 Hicks,
 Hitchings,
 Hubbell,
 Hyde,
 Irvine,
 Kimberly,
 Lawrence,
 Martin,
 Marvin,
 Minne,
 Montgomery,

Root,
 Sexton,
 Shearer,
 Sherwood,
 Shook,
 Smith,
 Stetson,
 Town,
 Turner,
 Voorhies,
 Waite,
 P. D. Warner,
 W. Warner,
 Watkins,
 Wheeler,
 Yocum,
 Speaker,

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NAYS.

Mr. Truesdell,

1

The House then, by a vote of two-thirds of all the members elect, directed a section to be added thereto, directing that it take effect immediately.

Mr. J. B. Eaton, by unanimous consent, introduced the petition of M. P. Marvin and 150 others, asking for an act extending the time for the completion of the road from Tecumseh to Jackson.

Referred to committee on banks and incorporations.

UNFINISHED BUSINESS.

The House then took up, under the order of unfinished business, A bill to amend chapter 123, title 24, of an act entitled an act for revising and consolidating the general statutes of the State of Michigan, approved May 18, 1846, concerning proceedings to recover the possession of lands in certain cases.

The question on which being on concurring in the amendments reported back by committee of the whole,

Mr. Hart moved that it be recommitted to the committee on judiciary, with instructions to report the following substitute therefor:

Section 1. *The People of the State of Michigan enact*, That chapter 123, title 24 of an act entitled an act "for revising and consolidating the general statutes of the State of Michigan," approved May 18, 1846, concerning "proceedings to recover the possession of land in certain cases," be and the same is hereby amended by

striking out of the fourth line of the second subdivision of section twelve, as printed, the word "fourteen," and inserting "five." Also by striking out section twenty-five of said chapter, and substituting a new section, to stand as section 25, as follows to wit :

"Sec. 25. Either party conceiving himself agrieved by the determination or judgment of the commissioner or judge, made or rendered under the provisions of this chapter, may appeal therefrom to the circuit or district court for the same county, within the same time, in the same manner and a return may be compelled and the same proceeding shall be thereupon had as near as may be, and with the like effect as in cases of appeals from judgments rendered before justices of the peace, and costs shall be awarded and collected in the circuit court in the same manner. But before any appeal by a defendant shall be allowed, he shall in addition to the usual recognizance, make and execute to the complainant a bond, in the penalty to be fixed by the judge or commissioner, not less than twice the amount of the annual rent of the premises in dispute with good and sufficient sureties, who shall justify, and also be approved by said judge or commissioner, conditioned, that if the complainant obtain restitution of said premises in said suit, the said defendant will forthwith pay all the rent due or to become due the complainant for the premises described in the complaint up to the time said complainant shall obtain possession thereof; and all damages done, permitted or suffered to any part of said premises, and all the necessary disbursements made by said complainant to officers, or witnesses, or in prosecuting said complaint and obtaining restitution of said premises; which bond shall be delivered to said complainant or his agent or attorney; and if the complainant obtain restitution of said premises, he may, at his election, sue and recover on said bond, or bring his action against the defendant, under section twenty-four of this chapter."

Mr. Fitch moved to amend the substitute by striking out all of section 25 from and after the word "premises" in thirteenth line thereof to and including the word "premises" in the fifteenth line, and inserting in lieu thereof, the words "with costs of suit."

And after some debate by Messrs. Hart and Fitch,

The same was agreed to.

Mr. Darling offered the following amendment to the amendment :

Amend the instructions by inserting in the 13th line, after the word "damages," "intentionally, or negligently."

Adopted.

Mr. Britain moved to strike out all after the word "recommit," in the instructions.

Pending the question on which,

Mr. Darling moved that the bill be recommitted to the judiciary committee, with instructions so to amend it, as to make suitable provision in proper form, to secure the rent that may be due or become due from the defendant to the plaintiff, during the pendency of the suit on appeal. And also, to amend section 26 of the chapter referred to in the bill, by striking out the word "ten," and inserting the word "five." Lost.

The question then recurring on the motion of Mr. Britain,

The same was agreed to.

The House having reached the general order, went into committee of the whole thereon,

Mr. Britain in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported back to the House that they had had under consideration,

A bill to provide for the incorporation of individuals and associations of persons, for the purposes of banking;

Upon which they had made some progress, and asked leave to sit again thereon.

The report was accepted and leave granted.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

A joint resolution relative to moneys advanced by the State of Michigan in behalf of the United States, and for the amount paid by the State for expenses incurred whilst a territory, in maintaining our territorial boundary; and

A joint resolution relative to the construction of a ship canal around the Falls of Ste Marie.

On motion of Mr. Irvine,

The House adjourned.

Lansing, Saturday, March 1, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members all present.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Stetson presented the memorial of Martin Willson and 99 others, electors of the county of Kalamazoo, asking that the sellers of ardent spirits shall give bonds for all damages that may result from such sale.

Referred to the committee on State affairs.

Mr. Darius Clark: the petition of 74 electors of the township of Marshall, Calhoun county, asking the passage of laws prohibiting the sale of ardent spirits.

Referred to the committee on State affairs.

Mr. Sherwood: of Heman Redfield, Jr., and 35 others, of Cass county, for an additional appropriation to aid the State agricultural society.

Referred to the committee on agriculture and manufactures.

REPORTS.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands to whom was referred the petition of James Hudson, of Ottawa county, asking for a special act authorizing the appraisal and sale to him of certain university lands, have had the same under consideration and report a bill in accordance with the prayer of said petitioner, recommend its passage, and ask to be discharged from the further consideration thereof.

D. SHOOK, Ch'n.

The report was accepted and the committee discharged.

The bill entitled a bill to authorize the sale of University lands in the county of Ottawa, was read a first and second time, ordered printed, and referred to the committee of the whole.

Mr. Church, from the judiciary committee, reported the following:

The committee on the judiciary, to whom was referred the bill to vacate certain village plats in the county of Ottawa; a bill to vacate a portion of the plat of the village of Mottville, in St. Joseph county; also a bill authorizing the board of State Auditors to examine and settle the claim of the Detroit and Birmingham plank road company, have had the same under consideration, and instructed me to report the same back to the House without amendment, recommend their passage, and ask to be discharged from the further consideration thereof.

T. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the several bills reported were referred to the committee of the whole and placed on the general order.

Mr. Bacon, from the committee on mines and minerals, reported

A bill to amend an act entitled an act to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan, approved March 16, 1847; also

A bill to amend an act entitled an act to incorporate the New York and Michigan Mining Company of Detroit, approved March 30, 1848; and also,

A bill to amend an act entitled an act to incorporate the Phenix Copper Company, approved March 31, 1849.

Severally read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Minne, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom was referred the petitions of E. M. Patterson, Wm. Gay and others, of Hillsdale co. for imposing a special tax of five mills on the dollar on lands therein named, for the improvement of the Hillsdale road, and to change the channel of Silver Creek on section 32, in the town of Amboy, in said county, and also the remonstrance of Harris W. Odell and 28 others, of the county of Hillsdale, against the project of turning the channel of Silver Creek by a local tax, have had the same under consideration and have instructed me as their chairman, to report ~~adverse~~ to the prayers of said petitioners, recommend that they have

leave to withdraw their petitions, and ask to be discharged from the further consideration of the same.

J. P. MINNE, Ch'n.

The report was accepted and the committee discharged.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, February 28, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to amend act No. 96, entitled an act to authorize the building of a certain dam therein named, approved March 30, 1840;

A bill to amend act 109, entitled an act to incorporate the Marshall and Ionia plank road company, approved March 20, 1850; and

A bill to amend an act entitled an act to incorporate the Copper Falls mining company, approved March 15, 1848,

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect, each with amendments, in which the concurrence of the House is respectfully asked.

Very respectfully,

O. W. MOORE,

Sec'y of Senate.

The amendments to the first named were severally concurred in, and the bill as amended ordered enrolled.

The amendment to the second was concurred in, and the same ordered enrolled.

The several amendments to the third were concurred in, and the same as amended ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hart offered the following resolution:

Whereas, a resolution was adopted by the late constitutional convention, on the 17th day of June, 1850, on the motion of the Hon. J. H. White, of the county of Lapeer, in the words following, to wit:

Resolved, That the Auditor General of this State be and he is hereby requested to furnish for the use of this convention, a statement of the annual expenses of the State government since its organiza-

tion. That such statement embrace a list of the State officers, the number of clerks and other persons employed by them, respectively in each year, and the salary or compensation paid to each; also the annual expenditure of the several departments of government, executive, judicial and legislative. That the Auditor General be requested to furnish to the convention a statement of the annual amount of State tax apportioned to be paid by each county; the yearly amount of delinquent or unpaid taxes returned to the Auditor's office from the several counties, and showing the amount of the original tax levied; the amount of interest which accrued thereon; the amount of office fees and other contingent expenses, if any, charged to said tax; and the amount of taxes rejected, with interest, &c., which have been charged back to the respective counties in each year."

Aud. whereas, the answer transmitted by the late Auditor General to the aforesaid resolution, does not appear on the journals of the said constitutional convention, nor in any other public form; therefore

Resolved, That the present Auditor General be and he is hereby requested to send to this House a copy of the aforesaid answer, if the same can be obtained from the books or files of his office.

Adopted.

Mr. Church gave notice of his intention to move for leave to introduce a bill to amend section 6 of chapter 84 of title 20 of the revised statutes, entitled "of divorces."

Mr. Hart gave notice that he would on some future day ask leave to introduce a bill to amend chapter 107, of an act for revising and consolidating the general statutes of the State of Michigan, concerning seduction.

Mr. Turner gave notice that on some future day he would ask leave to introduce a bill providing for an annual examination into the condition of the offices of the several State officers, into their receipts, expenditures, direct and incidental, the mode of keeping and adjusting accounts, and the general operation thereof, by a State legislative committee.

Mr. Crosman offered the following resolution:

Resolved, That the chairman of the committee on ways and means obtain the opinion of the Attorney General, relative to the number

of highway commissioners and school inspectors that each organized town will hereafter be entitled to.

Mr. Covert moved to amend the resolution by adding the word "annually," at the end thereof.

Which was accepted by Mr. Crozman.

The question was then taken on the resolution as modified, and the same was lost.

Mr. Hyde offered the following resolution:

Resolved, That on and after Monday next, and until otherwise ordered, this House will hold two sessions each day; the morning session to commence at 10 o'clock A. M., the afternoon session at half-past 2 P. M.

Mr. Fitch moved to amend by striking out "10," and inserting "9."

Lost.

The resolution was then adopted.

On motion of Mr. Hyde,

The bill to provide for the payment of the members and officers of the Legislature,

Was taken from the table,

And the question being on the amendment offered yesterday by Mr. Britain to the amendment offered by Mr. Church, in the following words, viz: "not exceeding sixty days,"

After some conversation,

Mr. Church withdrew his amendment.

The question then recurring on concurring in the 3d Senate amendment, as follows:

Amend by inserting "and to the members of the House and the Senator from the Upper Peninsula, two dollars per day additional."

Pending which,

Mr. Britain offered the following amendment as a substitute for the 3d Senate amendment:

And to the Senator and members of the House from the Upper Peninsula, an extra compensation of two dollars per day each for the first sixty days of the session.

The Speaker decided the substitute not in order.

Mr. Kimberly moved to amend the Senate amendment by inserting the word "two" before the word "members."

Agreed to.

Mr. P. D. Warner offered the following amendment:

Add after "additional," "during a session of sixty days only."

Mr. Stetson offered the following amendment to the amendment offered by Mr. Warner:

Insert in last line after "additional," "for the first sixty days of the session."

Accepted by Mr. Warner.

After considerable discussion by Messrs. Irvine, Hart, P. D. Warner, Pierce and Britain, the question was taken on Mr. Warner's amendment as modified, and the same was not agreed to.

Mr. Pierce then offered the following amendment:

Strike out all after the first "the," in the third line, and insert the following: "Senator and members of the House from the Upper Peninsula, two dollars per day each additional pay for the first sixty days of the session."

Adopted.

The Senate amendments thus amended, were then concurred in.

On motion of Mr. Britain,

The committee of the whole was discharged from the further consideration of the bill authorizing the Board of State Auditors to examine and settle the claim of the Detroit and Birmingham Plank Road Company.

Mr. Britain then moved a suspension of the rules and that said bill be now put on its final passage.

Agreed to.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
Chandler,
Childs,
Church,

Mr. L. Eaton,
Fenton,
Ferry,
Fitch,
Fowler,
Gray,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchins,
Hubbell,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Tow,
Truesdell,
Turner,

Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crosman,
Darling,
Earl,
J. B. Eaton,

Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,

Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

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The House then directed by a vote of two-thirds of all the members elect, that said act take effect immediately.

Mr. Church offered the following resolution:

Resolved, 'That the Attorney General be requested to communicate to this House, his opinion whether the Legislature be competent to amend acts of incorporation by extending the time within which by said acts the capital stock of such incorporations is required to be subscribed or installments to be paid in; the said time not yet having expired.

Adopted.

GENERAL ORDER.

The House then went into committee of the whole on the general order, Mr. Britain in the chair.

After sitting some time, the committee rose and by their chairman, reported back to the House, that they had had under consideration

A bill to provide for the incorporation of individuals and associations of persons for the purposes of banking;

Upon which they had made some progress, and asked leave to sit again thereon.

The report was accepted and leave granted.

By unanimous consent,

Mr. Church presented resolutions adopted by the board of supervisors of the county of Kent, requesting that the select committee on the Grand Rapids canal shall visit and personally examine the same; and the memorial of S. O. Kingsbury and others, securities on the bond given by James Davis, contractor for the construction of the Grand Rapids canal to the State asking for certain legislation there.

on.

On motion of Mr. Church,

Ordered laid on the table and printed.

Mr. Britain, by unanimous consent, presented the petition of citizens of Berrien township, for an appropriation for the State Agricultural Society.

Referred to the committee on agriculture and manufactures.

Mr. Britain, by like consent, also reported back from the committee of ways and means, the petition of Jacob Beeson and others, praying for the reduction in the price of certain lands, and recommended its reference to the committee on public lands.

It was ordered so referred.

Mr. Hubbell, from the committee on engrossment and enrollment reported as correctly enrolled, signed and this day presented to the Governor for approval,

An act to amend an act entitled an act authorizing Sandy McLeod to build a dam across the Cheboygan river, in the county of Cheboygan.

On motion of Mr. Fowler,

The House adjourned.

Lansing, Monday, March 3, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called, and the members all present except Mr. Calkins and Mr. Martin.

Mr. Sexton asked and obtained leave of absence for Mr. Martin for an indefinite time, on account of sickness.

Mr. Truesdell the same for Mr. Calkins.

The reading of the journal of Saturday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Hubbell presented the petition of Harry C. Andrews, Luman Fuller, Wm. B. Hebbard, Geo. F. Perry, Ira Hoag, Wm. Simpson and 89 others, poor men, of the town of Milford, Oakland Co.,

praying for the passage of a law allowing to every person who is a citizen of our State, who does not possess property of the value of \$2000, may have the deficit made up to them from the State Treasury.

Referred to the committee of ways and means.

Mr. A. H. Moore: of Edward S. Moore, James E. Kelsey and 138 others, of Three Rivers, St. Joseph county, asking a reduction in the price of certain seminary lands therein named; and

Mr. P. D. Warner: of H. S. Buel, Harvey Lee and 36 others, of Oakland county, asking for a reduction in the price of university and school land in said county.

Severally referred to the committee on public lands.

Mr. Baldwin: of Mary E. Gibson and 5 others, residents of the county of Lenawee, asking for authority to A. Blake, guardian of certain minors, to sell the real estate of said minors.

Referred to the committee on the judiciary.

Mr. Hubbelk: of M. L. Smith, S. L. Murray and 52 others of Oakland county;

Mr. Shook: of Richard Butler, A. S. Robertson and 72 others, citizens of Mt. Clemens, Macomb county;

Mr. Watkins: of 140 ladies of Napoleon, Jackson county, and 58 voters of the same town and county;

Mr. Wm. Warner: of Eli Benton and 72 others, citizens of Washtenaw county; and

Mr. Sexton: of Hugh Strickland and 37 others of Wayne county;

All asking for legislation on the subject of the license laws and the traffic in ardent spirits.

Severally referred to the committee on State affairs.

REPORTS.

Mr. Shearer, from the committee on agriculture and manufactures, submitted a report in writing, accompanied by a bill in aid of the Michigan State Agricultural Society, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill read a first and second time, referred to committee of the whole and placed on the general order.

On motion of Mr. Hyde,

The report was laid on the table and ordered printed.

Mr. Hitchings, from the committee on the organization of towns and counties, submitted the following report:

The committee on the organization of towns and counties, have had under consideration the petitions of citizens of Allegan and Sanilac counties, praying for the organization of certain townships therein named, and through their chairman respectfully report a bill to organize several townships in the counties of Allegan and Sanilac.

J. P. HITCHINGS, Ch'n.

The report was accepted, the committee discharged, the bill read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Bacon, from the committee on mines and minerals, submitted the following report:

The committee on mines and minerals ask leave to report,

A bill to amend an act entitled an act to incorporate the National Mining Company, approved April 1, 1848; also,

A bill to amend an act entitled an act to incorporate the Michigan Mining Company, approved March 30, 1848.

The committee also having under consideration three several bills from the Senate, entitled

1. A bill to amend an act entitled an act to incorporate the Bohemian Mining Company of Michigan, approved March 27, 1849;

2. A bill to amend an act entitled an act to incorporate the Siskowit Mining Company of Michigan, approved March 12, 1849;

3. A bill to amend an act entitled an act to incorporate the Algonquin Mining Company, approved March 30, 1848;

Report the same back, recommend their passage and ask to be discharged from the further consideration thereof.

JNO. BACON, Ch'n.

The report was accepted and the committee discharged.

Mr. A. H. Moore moved that said bills be referred to the committee on banks and incorporations.

But the motion did not prevail.

The two first named were then read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Bacon moved that the rules be suspended, and that the three last named be now read a third time.

But the motion did not prevail.

The three last named were then referred to the committee of the whole and placed on the general order.

Mr. Church, from the judiciary committee, to which was referred a bill to provide for the discharge of the duties heretofore performed by masters in chancery, reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Church moved to lay the bill on the table.

Agreed to.

Mr. Church also submitted the following report:

The committee on the judiciary, to whom was referred the bill to amend an act entitled an act for the relief of Thomas N. Bartlett, approved April 2, 1850; as amended by the House, in which amendment of the House the Senate have refused to concur, have had the same under consideration, and have instructed me to report the same back to the House with further amendments, in which they ask the concurrence of the House, and to be discharged from the further consideration of the same.

THOS. B. CHURCH, Ch'n.

The report was accepted and the committee discharged, and the amendment to said bill concurred in.

The Speaker announced the following communication from the Auditor General:

AUDITOR GENERAL'S OFFICE, }
Lansing, March 3, 1851. }

HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

SIR—I have received from the Clerk of the House, the following:

Whereas, a resolution was adopted by the late constitutional convention, on the 17th day of June, 1850, on the motion of the Hon. J. R. White, of the county of Lapeer, in the words following, to wit:

Resolved, That the Auditor General of this State be and he is hereby requested to furnish for the use of this convention, a statement of the annual expenses of the State government since its organ-

ization; that such statement embrace a list of the State officers, the number of clerks and other persons employed by them respectively in each year, and the salary or compensation paid to each; also the annual expenditures of the several departments of government, executive, judicial and legislative. That the Auditor General be requested, to furnish to the convention a statement of the annual amount of State tax apportioned to be paid by each county; the yearly amount of delinquent or unpaid taxes returned to the Auditor's office from the several counties, and showing the amount of the original tax levied; the amount of interest which accrued thereon; the amount of office fees and other contingent expenses, if any, charged to said tax; and the amount of taxes rejected, with interest, &c., which have been charged back to the respective counties in each year;'

And whereas, the answer transmitted by the late Auditor General to the aforesaid resolution, does not appear on the journals of the said constitutional convention, nor in any other public form; therefore

Resolved, That the present Auditor General be and he is hereby requested to send to this House a copy of the aforesaid answer, if the same can be obtained from the books or files of his office."

In compliance with the above resolution, I have the honor to transmit herewith the communication' referred to.

Yours respectfully,

JOHN SWEGLES, Jr.,

Auditor General.

The communication of the late Auditor General to the convention was read, and,

On motion of Mr. Hart,

Laid on the table and ordered printed.

The Speaker then announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 1, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

House bill to amend an act entitled an act to incorporate the Portland and Lansing Plank Road Company;

And to respectfully inform you that the Senate have concurred

therein by a vote of two-thirds of all the Senators elect, with amendments in which the concurrence of the House is respectfully asked.

Also to transmit

A bill to authorize the formation of telegraph companies,

And to respectfully inform you that the Senate have passed the same by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

Very Respectfully,

O. W. MOORE,

Secretary Senate.

The amendments to the first named were severally concurred in, and the same ordered enrolled as amended.

The second named was read a first and second time and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hart offered the following resolution:

Resolved, That the Auditor General be requested to furnish to this House, a statement of the aggregate amount of charges for advertising and selling lands delinquent for taxes, in the year 1850; a statement of items making said aggregate; the aggregate amount paid to publishers of newspapers for advertising tax sales in said year; the aggregate amount paid to the several county treasurers of the State for making sales and returns thereof to the Auditor General's office; the number of clerks employed in said office during the said year; the salary paid to each; and the number of clerks, in the opinion of the Auditor General, that would be necessary to do the business of the said office, provided no return of lands delinquent for taxes were made to said office.

Adopted.

Mr. Fowler offered the following resolution:

Resolved, That the reporter for this House be instructed to report its proceedings when in committee of the whole. Adopted.

Mr. Church moved that the resolutions adopted by the board of supervisors of the county of Kent, requesting that the select committee on the Grand Rapids canal shall visit and personally examine the same; and the memorial of S. O. Kingsbury and others, securities on the bond given by James Davis, contractor for the construc-

tion of the Grand Rapids canal to the State, asking for certain legislation thereon, be taken from the table, and referred to the select committee on the Grand Rapids canal.

Agreed to.

Mr. Hyde gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Detroit gas company.

Mr. Crosman gave notice that on some future day he would ask leave to introduce

A bill providing for the election of highway commissioners and school inspectors, and their term of office, in the several towns of this State.

Mr. Britain gave notice that he would on a future day ask leave to bring in

A bill to amend the charter of Niles.

Mr. Fenton gave notice that he would on some future day ask leave to introduce

A bill to amend section 2 of an act entitled an act to incorporate the Flint and Fentonville plank road company, approved April 3, 1848.

Mr. Britain offered the following resolution:

Resolved, That all resolutions hereafter introduced, requiring information from either of the departments of this government, be laid one day upon the table, and printed in the daily journals.

Adopted.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to amend sections two and three of an act entitled an act to incorporate the Copper Falls Mining Company, approved March 15, 1848.

On motion of Mr. Kimberly,

The bill to amend an act entitled an act to amend an act entitled an act to incorporate the Corunna and Saginaw Plank Road Company was taken from the table, and recommitted to the committee on banks and incorporations, with instructions to make certain amendments.

The House having arrived at the general order, went into committee of the whole thereon,

Mr. Britain in the chair.

And after some time spent thereon, the committee rose, and by their chairman, reported back to the House, that they had had under consideration,

A bill to provide for the incorporation of individuals and associations for the purpose of banking;

Upon which they had made some progress, and asked leave to sit again thereon.

The report was accepted and leave granted.

On motion of Mr. Minne,

The House adjourned.

—
Afternoon Session.

½ past two o'clock P. M.

The House was called to order by the Speaker.

The roll was called, and the members all present except those excused on account of sickness.

MESSAGES.

The Speaker announced the following message:

SENATE CHAMBER,
Lansing, March 3, 1851. }

To the Speaker of the House of Representatives:

SIR :—I am instructed to return herewith,

A bill to provide for the payment of the members and officers of the Legislature,

And to respectfully inform you that the Senate insist upon their disagreement thereon.

Also to return

The bill to provide for the election of judges of the circuit courts and regents of the University,

And to respectfully inform you that the Senate have passed a substitute therefor, by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

3. A bill to provide for taking the census and statistics of this State;

4. A bill supplementary to acts incorporating the city of Detroit;

5. A bill supplementary to an act to incorporate the Detroit and Saline plank road company, approved March 23, 1848; and

6. A bill authorizing the board of State Auditors to examine and settle the claim of Nancy J. Gould, administratrix upon the estate of Austin M. Gould, deceased;

And to respectfully inform you that the Senate have passed the same, the three last named by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Secretary Senate.

The House insisted upon their amendments to the first named bill.
On motion of Mr. Britain,

The second was ordered laid on the table.

The third was twice read and referred to the committee on State affairs.

The 4th and 6th were severally twice read and referred to the judiciary committee.

The 5th was twice read and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Britain offered the following resolution:

Resolved, That the use of this hall be given to the Rev. Mr. Baker, of Jackson county, for the purpose of delivering a lecture on education, on Wednesday evening next.

Mr. Marvin gave notice that he would, on some future day, ask leave to introduce a bill to authorize school district No. 4, in the township of Ypsilanti to establish a free school in said district.

GENERAL ORDER.

The House then resolved itself into committee of the whole on the general order,

Mr. Britain in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House,

A bill to provide for the incorporation of individuals and associations for the purposes of banking.

To which they had made sundry amendments, asked the concurrence of the House therein, and to be discharged from the further consideration of said bill.

The report was accepted, the committee discharged; and,
On motion of Mr. D. L. Case,

The bill and amendments were ordered laid on the table and the amendments printed.

Mr. Irvine moved that a committee of conference, consisting of three, be appointed by the Speaker to confer with a like committee on the part of the Senate, relative to the disagreement between the two houses on the appropriation bill.

Agreed to.

The Speaker appointed Messrs. Irvine, Corbin and Root, such committee.

The Speaker, by unanimous consent, announced the following message from the Executive:

EXECUTIVE OFFICE,
Lansing, March 3, 1851. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend an act entitled an act authorizing Sandy McLeod to build a dam across the Cheboygan river, in the county of Cheboygan; and

Joint resolution relative to the construction of a ship canal around the falls of the Ste Marie; also

Joint resolution relative to moneys advanced by the State of Michigan in behalf of the United States, and for the amount paid by the State for expenses incurred whilst a territory, in maintaining our territorial boundary.

UNQ. S. BARRY.

On motion of Mr. Sherwood,
The House adjourned.

Lansing, Tuesday, March 4, 1851.

The House was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called and the members answered to their names, except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

And the journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Shearer presented the petition of D. H. Rowland, B. S. Taylor, L. H. Jones and 133 others, asking the passage of laws for indemnifying the public against the damages arising from the sale of intoxicating drinks.

Referred to the committee on State affairs.

REPORTS.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to amend section 1 of act 109, entitled an act to incorporate the Marshall and Ionia plank road company, approved March 20, 1848;

An act to amend sections 1 and 2 of act No. 96, entitled an act to authorize the building of a certain dam therein named, approved March 31, 1840.

Mr. D. L. Case submitted the following:

The committee on banks and incorporations, to whom was referred a bill to amend an act entitled an act to amend an act to incorporate the Corunna and Saginaw plank road company, with instructions to amend the same, respectfully report the same back to the House, with amendments in accordance with instructions, and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the amendments reported by the committee were concurred in.

The bill as amended was then ordered engrossed for a third reading.

Mr. Kimberly moved that the rules be suspended and the bill now be read a third time.

Lost.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred sundry petitions asking for a reduction of the price of university lands, have had the same under consideration, and have instructed me to report a bill, recommend its passage, and ask to be discharged from the further consideration of the subject.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged and the bill read a first and second time, referred to the committee of the whole, and placed on the general order.

Mr. Church, from the judiciary committee, submitted the following report:

The committee on the judiciary to whom was referred Senate bill authorizing the board of State Auditors to examine and settle the claim of Nancy J. Gould, administratrix of the estate of Austin M. Gould, deceased, reported the same back without amendment, recommended its passage, and asked to be discharged from further consideration thereof.

The report was accepted, the committee discharged and the bill ordered engrossed and read a third time.

Mr. Bacon, from the committee on mines and minerals, submitted the following report:

The committee on mines and minerals ask leave to report a bill to amend an act entitled an act to incorporate the New England Mining company, approved April 1, 1848; also,

A bill to amend an act entitled an act to incorporate the Albion Mining company, approved March 27, 1848;

And ask that the same be placed upon the general order, and the committee be discharged.

JOHN BACON, Ch'n.

The report was accepted, the committee discharged, the bills reported severally read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. A. H. Moore submitted the following report:

The committee to whom was referred Senate joint resolution in relation to the construction of several roads north of the Saginaw river, with sundry amendments adopted by the House, have had the same under consideration, and have formed a substitute for said joint resolution, and directed me as their chairman to report the said substitute to the House, and recommend that the same be adopted, and ask that the committee be discharged from the further consideration of the subject.

All which is respectfully submitted.

ALEX. H. MOORE, Ch'n.

The report was accepted, the committee discharged, the substitute
On motion of Mr. Church,

Ordered laid on the table and printed.

Mr. Gregory also submitted a substitute, from a minority of the same committee, for said joint resolution. •

On motion of Mr. Church,

Ordered laid on the table and printed.

The Speaker announced the following communication from the Attorney General:

ATTORNEY GENERAL'S OFFICE, }
March 3, 1851. }

To the Honorable the House of Representatives:

I have received from the Clerk of the House of Representatives the following resolution:

"Resolved, That the Attorney General be requested to communicate to this House his opinion whether it is competent for the Legislature to amend acts of incorporation by extending the time within which, by said acts, the capital stock of such incorporations is required to be subscribed, or installments to be paid in; the said time not yet having expired."

The provision of the constitution to which the resolution refers, is as follows: "The Legislature shall pass no law altering or amending any act of incorporation heretofore granted, without the assent of two-thirds of the members elected to each House; nor shall any such act be renewed or extended." Under this provision the Legislature has full power to alter or amend acts of incorporations, but it is

prohibited from renewing or extending them. The mere extension of the time in which the capital stock is to be subscribed, or paid in, under the circumstances specified in the resolution, is not an extension or renewal of a charter. I regard it, therefore, as entirely competent for the Legislature to make such amendments to acts of incorporation as are contemplated by the resolution.

WILLIAM HALE,

Attorney General.

Mr. Turner moved a reconsideration of the vote by which the House refused to suspend the rules, in order to read a third time

The bill to amend sections 1 and 3 of an act to incorporate the Corunna and Saginaw plank road company, approved April 3, 1848; and to amend section 1 of an act to amend an act entitled an act to incorporate the Corunna and Saginaw plank road company, approved April 2, 1850.

Agreed to.

The bill was then ordered to be now read a third time, was so read and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. Patterson,
Baldwin,	L. Eaton,	Pierce,
Barnes,	Fenton,	Root,
Beecher,	Fitch,	Sexton,
Butterfield,	Fowler,	Shearer,
Calkins,	Gregory,	Sherwood,
D. L. Case,	Gulley,	Shook,
S. M. Case,	H. Hall,	Smith,
Childs,	S. C. Hall,	Stetson,
Church,	Hart,	Trudsdell,
Darius Clark,	Hicks,	Town,
David Clark,	Hubbell,	Turner,
Clyburn,	Hyde,	Voorhies,
Corbin,	Irvine,	Waite,
Corrigan,	Kimberly,	P. D. Warner,
Covert,	Lawrence,	W. Warner,
Crane,	Marvin,	Wheeler,
Darling,	Minne,	Yocum,
Earl,	A. H. Moore,	Speaker,

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NAYS.

The House then, by a vote of two-thirds of all the members elect, directed said act should take effect immediately.

On motion of Mr. Church,

A bill to provide for the discharge of the duties heretofore performed by masters in chancery,

Was taken up.

Mr. Church then moved a suspension of the rules, and that said bill be now read a third time.

Pending the question on which,

Mr. Truesdell offered the following amendment:

Amend section 8, 3d line, by striking out the word "Governor," and inserting the words "judge of the circuit or district court."

After some debate by Messrs. Truesdell, Hart, Irvine and Church, the question was taken thereon, and the amendment not agreed to.

Mr. Irvine then offered the following amendment:

After "circuit," in line 1, section 2, insert "or district."

Which, after some conversation, he withdrew.

Mr. Pierce then offered the following amendment:

Strike out the word "gross," in the second line of section 2.

Adopted.

The question then recurring on the motion of Mr. Church,

The same did not prevail.

The question then being on the engrossment of the bill for a third reading,

After debate by Messrs. Truesdell, Hart, Church and D. L. Case, it was ordered to be engrossed for a third reading.

Mr. Hyde moved a suspension of the rules, and that the bill be now read a third time.

But the motion did not prevail.

Mr. Turner gave notice that at an early day he would ask leave to bring in a bill to incorporate the Saginaw bridge company.

Mr. Hart gave notice that he would on some future day move for leave to introduce a bill to amend an act entitled an act to incorporate the Port Huron and Lake Michigan rail road company, approved January 30, 1847.

Mr. Irvine gave notice that on some future day he would ask leave to introduce a bill to organize Beaver Island, and the islands in its immediate vicinity, into a separate county.

Mr. Pierce offered the following resolution:

Resolved, That House bill numbered 12 be taken from the table,

and that said bill with, the whole subject of banking, be put over and made the special order of business for Tuesday the 25th day of this month of March.

Mr. Irvine moved to lay it on the table, but withdrew his motion; when

Mr. Balcombe offered the following substitute:

Resolved, That the further consideration of the bill to provide for the incorporation of individuals and associations of persons for the purposes of banking, be postponed to the 25th day of March, 1851, or until the bill to provide for a sinking fund, and the bill to provide for funding the State debt shall have become laws.

Which was accepted by Mr. Pierce.

Mr. Irvine then renewed his motion to lay on the table.

Lost.

Mr. Hart moved to indefinitely postpone.

Lost.

Mr. Fitch moved to strike out "1851" and insert "1852."

The question was debated at length by Messrs. Crane, Fitch, Shearer, Pierce, Hart, Hyde and Church; when

Mr. Church moved that the whole subject be indefinitely postponed.

Agreed to.

On motion of Mr. Church,

The committee of the whole were discharged from the further consideration of the bill to provide for the organization of certain townships in the county of Tuscola.

The question then being on its engrossment for a third reading, Pending which,

Mr. Patterson moved that the House adjourn.

Lost.

The bill was then ordered engrossed for a third reading.

Mr. Balcombe moved that the House adjourn.

Lost.

Mr. Church then moved that the rules be suspended, and the bill be now read a third time.

Agreed to.

The bill was then read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. L. Eaton,	Mr. Pierce,
Baldwin,	Ferry,	Sexton,
Barnes,	Fitch,	Shearer,
Beecher,	Fowler,	Sherwood,
Britain,	Gray,	Shook,
Butterfield,	Gregory,	Smith,
D. L. Case,	Gulley,	Stetson,
Chandler,	H. Hall,	Truesdell,
Childs,	S. C. Hall,	Town,
Church,	Hitchings,	Turner,
Darius Clark,	Hubbell,	Voorhies,
David Clark,	Hyde,	Waite,
Clyburn,	Kimberly,	P. D. Warner,
Corrigan,	Lawrence,	W. Warner,
Covert,	Marvin,	Wheeler,
Crane,	Montgomery,	Yocum,
Earl,	A. H. Moore,	Speaker,
J. B. Eaton,	Patterson,	55
	NAYS.	0

The House then directed, by a vote of two-thirds of all the members elected, that said act shall take effect immediately.

On motion of Mr. Kimberly,
The House adjourned.

—
Afternoon Session.

Half-past two o'clock.

The House was called to order by the Speaker.

Roll called—members present as in the morning.

PRESENTATION OF PETITIONS.

Mr. Montgomery presented the petition of Wm. Wood and 62 others, asking the passage of a law which shall require the venders of intoxicating drinks to give bonds of indemnity for injuries resulting from such sale.

Referred to the committee on state affairs.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Church, pursuant to previous notice, asked and obtained leave to introduce a bill to amend sec. 6 of chap. 89 of title 20 of revised statutes, relative to divorce.

Read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Britain, pursuant to previous notice, on leave, introduced

A bill to amend the charter of the village of Niles.

Read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Hart, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend chap. 107, title 22, of an act entitled an act for revising and consolidating the general statutes of the State of Michigan, approved May 18, 1846, of provisions concerning actions and proceedings in certain cases.

Read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Church gave notice of his intention to move for leave to introduce

A bill to regulate proceedings in attachment against foreign corporations, in certain cases;

Also of his intention to move for leave to introduce

A bill to amend chapter 79 of the revised statutes, relative to the sale of real estate on execution;

Also of his intention to move for leave to introduce

A bill authorizing the board of State Auditors to examine and settle the claim of Knowlton S. Pettibone.

THIRD READING OF BILLS.

The House having arrived at the order of bills for a third reading, took up

A bill to provide for the discharge of the duties heretofore performed by masters in chancery;

Which was read a third time and passed, by the following vote:

YEAS.

Mr. Barnes,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Corbin,

Mr. Gregory,
Gullev,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,

Mr. Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,

Corrigan,
Crosman,
J. B. Eaton,
L. Eaton,
Fenton,
Ferry,
Fitch,
Fowler,

Lawrence,
Minne,
Montgomery,
A. H. Moore,
Patterson,
Pierce,
Root,

Voorbies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

46

NAYS.

Mr. Darius Clark,
Earl,

Mr. H. Hall,
Marvin,

Mr. Truesdell,

5

The House then refused to direct that said act shall take effect immediately, two-thirds of the members elect, not voting therefor.

A bill to authorize the board of State Auditors to examine and settle the claims of Nancy J. Gould, administratrix upon the estate of Austin M. Gould, deceased, was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
L. Eaton,
Fenton,
Ferry,
Fitch,

Mr. Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

57

NAYS.

0

The House then, by a vote of two-thirds of all the members elect, directed that said act shall take effect immediately.

Mr. Irvine, by unanimous consent, moved a reconsideration of the vote by which the House refused to order that the bill to provide for

the discharge of the duties heretofore performed by masters in chancery shall take effect immediately.

Agreed to.

It was then offered that said act shall take effect immediately, by the following vote:

YEAS.

Mr. Bacon,	Mr. Darling,	Mr. Montgomery,
Balcombe,	J. B. Eaton,	A. H. Moore,
Baldwin,	L. Eaton,	Patterson,
Barnes,	Fenton,	Root,
Beecher,	Ferry,	Sexton,
Britain,	Fitch,	Shearer,
Butterfield,	Fowler,	Sherwood,
Calkins,	Gray,	Shook,
D. L. Case,	Gregory,	Smith,
S. M. Case,	Gulley,	Stetson,
Chandler,	S. C. Hall,	Town,
Childs,	Hart,	Turner,
Church,	Hicks,	Voorhies,
David Clark,	Hitchins,	Waite,
Clyburn,	Hubbell,	P. D. Warner,
Corbin,	Hyde,	W. Warner,
Corrigan,	Irvine,	Wheeler,
Covert,	Lawrence,	Yocum,
Crane,	Marvin,	Speaker,
Crosman,	Minne,	59

NAYS.

Mr. Darius Clark,	Mr. Pierce,	Mr. Truesdell,	3
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GENERAL ORDER.

The House then resolved itself into committee of the whole on the general order, Mr. Root in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back to the House the following bills:

1. A bill to repeal an act entitled an act to provide for statistical information, approved April 3, 1848;
2. A bill to repeal an act to prevent the circulation of foreign notes, approved April 3, 1848;
3. A bill to authorize the Auditor General to issue certain land warrants;
4. A bill to amend an act entitled an act to construct dams and improve the navigation of certain rivers, approved March 24, 1836;

5. A bill to amend an act to incorporate the Genesee County Plank Road Company;

6. A bill to provide for the issuing of a patent to Chauncey G. Pope and Thomas L. Pope, for certain lands. ●

7. A bill to authorize the transfer of a certain record from Berrien county to Cass county.

8. A bill to authorize the assessment of certain taxes in the township of Almont, county of Lapeer.

All without amendment. Also

9. A bill to provide payment for publishing the constitution of the State,

With sundry amendments, in which they asked the concurrence of the House and to be discharged from further consideration of said bills.

The report was accepted and the committee discharged.

The 1st, 2d, 3d, 4th, 5th, 6th, 7th and 8th, were severally ordered engrossed and read a third time.

On motion of Mr. P. D. Warner,

The amendments to the 9th were concurred in in gross, and the same ordered engrossed for a third reading.

On motion of Mr. Hubbell,

The House adjourned.

Lansing, Wednesday, March 5, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members were all present except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PETITIONS PRESENTED.

Mr. Town presented the petition of Abram Hoag, O. Eaton and 60 others, asking for the passage of a law to prohibit the liquor traffic.

Referred to the committee on State affairs.

Mr. Root: of H. Haynes, J. V. Smith and 75 others of Branch county, asking an appropriation of \$600 annually, for three years, for the benefit of the State Agricultural Society.

Referred to the committee on agriculture and manufactures.

Mr. Crane: of Joshua E. Drake and 20 others, asking the passage of a law authorizing change of line between the townships of Palmyra and Ogden, in the county of Lenawee.

Referred to the committee on towns and counties.

REPORTS.

Mr. Britain, from the committee of ways and means, submitted the following report:

The committee of ways and means have instructed me to report the following bills, to wit:

A bill to authorize the treasurer of the township of Ridgeway to collect certain taxes;

A bill to provide for paying the expenditures of the Convention to revise the constitution.

C. BRITAIN, Ch'n.

The report was accepted, the committee discharged, and said bills severally read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Church, from the judiciary committee, to which was referred

A bill to amend sections 25 and 26 of chapter 123, title 24 of R. S. of 1846, concerning proceedings to recover possession of land in certain cases;

With instructions to make certain amendments thereto, reported the same back, amended as instructed, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, and the committee discharged; and

On motion of Mr. Church,

The bill was ordered laid on the table and printed.

Mr. Lawrence, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for his approval.

An act to amend an act entitled an act to incorporate the Portland and Lansing plank road company.

Mr. D. L. Case submitted the following report from the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill supplementary to an act to incorporate the Detroit and Saline plank road company, approved March 23, 1848; also, Senate bill to provide for taxing foreign corporations,

Have had the same under consideration, and instruct me to report the same back to the House without amendment, recommend their passage, and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bills referred to the committee of the whole and placed on the general order.

Mr. D. L. Case, from the same committee, also submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act amending an act relative to plank roads, approved March 19, 1849,

Have had the same under consideration, and respectfully report the same back to the House without amendment and recommend its passage.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Irvine, from the committee of conference, on a disagreement between the two Houses, submitted the following report:

The committee of conference, on the disagreement between the two Houses on

A bill to provide for the payment of the members and officers of the Legislature,

Report, that they have had the same under consideration, and are unable to agree, and ask to be discharged.

J. D. IRVINE,

Ch'n H. Com.

N. G. ISBELL,

Ch'n Sen. Com.

The report was accepted and the committee discharged.

Mr. Britain moved that a new committee of conference be appointed on the matter of disagreement.

Agreed to.

The Speaker appointed Messrs. Britain, Hubbell and Beecher such committee.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. J. B. Eaton gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the Grand River Valley Railroad.

Mr. Hyde offered the following resolution:

Resolved, That the committee on banks and incorporations be and they are hereby instructed to report back to this House this day, at the afternoon session, the bill to amend the charter of the Michigan Central Railroad company.

And after some remarks by Messrs. Hart, Hyde and D. L. Case, Mr. Crosmen moved to lay the resolution on the table.

Agreed to, by the following vote:

YEAS.

Mr. Baldwin,
Barnes,
Butterfield,
D. L. Case,
Childs,
Church,
David Clark,
Clyburn,
Corrigan,
Covert,
Crane,

Mr. Crosmen,
Darling,
J. B. Eaton,
Fenton,
Gray,
Gregory,
Hart,
Hitchings,
Hubbell,
Irvine,
Minne,

Mr. A. H. Moore,
Patterson,
Root,
Sherwood,
Smith,
Stetson,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker, 33

NAYS.

Mr. Bacon,
Balcombe,
Calkins,
S. M. Case,
Chandler,
Darius Clark,
Earl,
L. Eaton,
Fowler,

Mr. Gulley,
H. Hall,
S. C. Hall,
Hicks,
Hyde,
Lawrence,
Marvin,
Pierce,

Mr. Sexton,
Shearer,
Shook,
Truesdell,
Town,
W. Warner,
Wheeler,
Yocum,

25

Mr. Hart offered the following resolution:

Resolved, That the Attorney General be requested to communi-

cate to this House his opinion whether any of the provisions of the bill "establishing police regulations for the preservation of property on the lines of railroads, and for other purposes," conflict with the chartered rights and privileges of the Central, Southern or other railroads of the State, and if so, to point out to the House wherein.

After some discussion by Messrs. Hart, and Church,

Mr. Church moved the resolution be laid on the table.

Agreed to.

Mr. Church, on leave, pursuant to previous notice, introduced

A bill to regulate proceedings by attachment against foreign corporations;

A bill to amend chapter 79 of the R. S. of 1846; and

A bill authorizing the board of State Auditors to examine and settle the claim of Knowlton S. Pettibone;

Which were severally read a first and second time, and referred the two first named to the committee on the judiciary, the last named to the committee of ways and means.

Mr. Baldwin, on leave, pursuant to previous notice, introduced

A bill to amend an act entitled an act to amend an act to incorporate the Indiana and Adrian plank road company, approved April 3, 1850.

Read a first and second time and referred to committee on banks and incorporations.

Mr. Turner, on leave, pursuant to previous notice, introduced

A bill to incorporate the Saginaw Bridge company.

Read a first and second time, and referred to the committee on banks and incorporations.

By unanimous consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 5, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to inform you that the Senate have accepted the report, and discharged the committee of conference on the part of the Senate, on the disagreement between the two Houses, on a bill to provide for the payment of members and officers of the Legislature, and have appointed Senators Bowne, Mead and Danforth, a fur-

ther committee thereon on the part of the Senate, and respectfully request that a further like committee be appointed on the part of the House.

Respectfully,

O. W. MOORE,
Sec'y of Senate.

THIRD READING OF BILLS.

The House having arrived at the order of third reading of bills, the following bills were read a third time and passed:

A bill to authorize the Auditor General to issue certain land warrants, by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Butterfield,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Mr. L. Eaton,
Fenton,
Fitch,
Fowler,
Gray,
S. C. Hall,
Hart,
Hubbell,
Hyde,
Irvine,
Lawrence,
A. H. Moors,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker,

40

NAYS.

0

A bill to amend an act entitled an act to construct dams and improve the navigation of certain rivers, approved March 24, 1836, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Childs,
Church,
Darius Clark,

Mr. L. Eaton,
Fenton,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,

David Clark,
Corrigan,
Covert,
Crane,
Crosmen,
Earl,
J. B. Eaton,

Hyde,
Irvine,
Lawrence,
Marvin,
Minne,
A. H. Moore,
H. M. Moore,

Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

59

NAYS.

0

A bill to amend an act to incorporate the Genesee county plank road company, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Crane,

Mr. Crosmen,
Earl,
J. B. Eaton,
L. Eaton,
Fenton,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Irvine,

Mr. Kimberly,
Lawrence,
Marvin,
A. H. Moore,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker,

51

NAYS.

0

The House then, by a vote of two-thirds of all elected, directed that the second named shall take effect immediately.

On motion of Mr. Britain,

The House also, by a vote of two-thirds of all the members elected, directed that the second named shall take effect immediately.

Also was read a third time and passed,

A bill to provide for the issuing of a patent to Chacnoey G. Pope and Thomas L. Pope, for certain lands, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Fenton,
Fitch,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,

Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,

Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Lawrence,
Marvin,
Minne,

Shearer,
Sherwood,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

58

NAYS.

0

A bill to to authorize the transfer of certain records from Berrien county to Cass county, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crossman,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Fenton,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Marvin,
Minne,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

61

NAYS.

0

A bill to authorize the assessment of certain taxes in the township of Almont in the county of Lapeer, was taken up for a third reading, when, by unanimous consent.

Mr. Hart introduced a substitute therefor.

The substitute was adopted, and after some discussion,

Mr. Hart moved to recommit to the committee on the judiciary with instructions.

Lost.

After considerable debate by Messrs. Fitch, Shearer, Hart, Fowler-Turner, Beecher and Pierce, the substitute was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Covert,	Mr. Marvin,
Balcombe,	Crane,	Minne,
Baldwin,	J. B. Eaton,	Montgomery,
Barnes,	L. Eaton,	A. H. Moore,
Butterfield,	Gray,	Patterson,
Calkins,	Gregory,	Root,
D. L. Case,	Gulley,	Sexton,
Chandler,	S. C. Hall,	Shearer,
Childs,	Hart,	Sherwood,
Church,	Hicks,	Shook,
Darius Clark,	Hitchings,	Town,
David Clark,	Hubbell,	Turner,
Clyburn,	Hyde,	Voorhies,
Corbin,	Irvine,	Waite,
Corrigan,	Kimberly,	Speaker, 45

NAYS.

Mr. Beecher,	Mr. Fowler,	Mr. Truesdell,
S. M. Case,	H. Hall,	P. D. Warner,
Crosman,	Pierce,	W. Warner,
Earl,	Smith,	Wheeler,
Fenton,	Stetson,	Yocum, 16
Fitch,		

A bill to repeal an act entitled an act to provide for statistical information, approved April 3, 1848, was then read a third time and passed, by the following vote:

YEAS:

Mr. Baldwin,	Mr. Darling,	Mr. A. H. Moore,
Barnes,	Earl,	Pierce,
Beecher,	J. B. Eaton,	Root,
Britain,	L. Eaton,	Sexton,
Butterfield,	Fowler,	Shearer,
Calkins,	Gray,	Sherwood,
D. L. Case,	Gregory,	Shook,
S. M. Case,	Gulley,	Smith,
Chandler,	H. Hall,	Truesdell,
Childs,	S. C. Hall,	Town,
Church,	Hart,	Turner,
Darius Clark,	Hicks,	Voorhies,

David Clark,
Clyburn,
Corbin,
Crane,
Crosman,

Hubbell,
Irvine,
Lawrence,
Minne,
Montgomery,

Waite,
P. D. Warner,
Yocum,
Speaker,

50

NAYS.

Mr. Covert,

1

The House then by a vote of two-thirds of all the members elected, directed that said act take effect immediately.

Also, a bill to repeal an act to prevent the circulation of foreign notes, approved April 3, 1848, was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Fenton,
Ferry,
Fitch,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Marvin,
Montgomery,

Mr. A H. Moore,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

57

NAYS.

0

The House then, directed by a vote of two-thirds of all the members elected, that said act shall take effect immediately.

A bill to provide payment for publishing the constitution of the State, was taken up for a third reading; when,

On motion of Mr. Britain,

It was ordered laid on the table.

Mr. Butterfield moved that the House adjourn;

Which he withdrew; when,

On motion of Mr. Church,

The House took a recess until quarter past 2 o'clock P. M.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called; a quorum of members present.

The Speaker, by consent, announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 5, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to provide for the organization of certain townships in the county of Tuscola; and

A bill to amend sections 1 and 3 of an act to incorporate the Corunna and Saginaw plank road company, approved April 3, 1848, and to amend section 1 of an act to amend an act entitled an act to incorporate the Corunna and Saginaw plank road company, approved April 2, 1850.

In which, I am instructed to inform you, the Senate have concurred by a vote of two-thirds of all the Senators elect.

Also to transmit,

A bill for the relief of Thomas N. Bartlett;

A bill to amend sections 1, 5 add 8, of an act to incorporate the City of Detroit Gas Company, and to change the title of said company, to that of the Detroit Gas Light Company;

A bill supplementary of an act to incorporate the Jackson and Michigan plank road company, approved April 3, 1848;

A bill for the relief of the several school districts in the township of Concord, county of Jackson;

And to inform you that the Senate have passed the same; the three first named bills by a vote of two-thirds of all the Senators elect, and by a like vote directed that the last named take immediate effect, and in all which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

Secretary of the Senate.

The first and second named were ordered enrolled.

The third was twice read, and referred to the committee on the judiciary.

The 4th and 5th severally twice read, and referred to the committee on banks and incorporations.

The 6th was twice read, and referred to the committee on education.

By unanimous consent, Mr. Shearer gave notice that he would ask leave to introduce

A bill to amend the charter of the Plymouth plank road company.

The House then went into committee of the whole on the general order,

Mr. Sherwood in the chair.

After some time spent thereon, the committee rose and through their chairman reported back to the House the following entitled bills;

1. A bill to amend an act entitled an act to incorporate the Bohemian mining company, approved March 27, 1848;

2. A bill to amend an act entitled an act to incorporate the Algonquin mining company, approved March 30, 1848;

3. A bill to amend an act entitled an act to incorporate the Siskiwiet mining company of Michigan, approved March 12, 1849; and

4. A bill to authorize the sale of university land in the county of Ottawa, to James Hudson, at its appraised value.

The first and second without amendment, and the third and fourth with amendments, in which the concurrence of the House was asked, and the committee asked to be discharged from further consideration of said bills.

The report was accepted and the committee discharged,

The first named being under consideration,

Mr. Britain offered the following amendment thereto: in section 2, after "franchises," insert "not exceeding one-half the amount of their capital stock."

Adopted.

The bill was then ordered engrossed for a third reading.

The second named being under consideration,

Mr. Britain offered the following amendment thereto: in section 2, after "franchises," insert "not exceeding one-half the amount of their capital stock." Adopted.

The bill was then ordered engrossed for a third reading.

The amendments to the third named were concurred in, and the bill ordered engrossed for a third reading.

The amendments to the 4th named were severally concurred in; and the question being on its engrossment for a third reading,

Mr. P. D. Warner offered the following amendment:

Strike out of line 4 of section 4, the words "one dollar and twenty-five cents," and insert "four dollars."

A division was ordered, and the question first taken on striking out, the same was agreed to.

Mr. Ferry then moved to fill the blank with \$3.

The question was first taken on Mr. Warner's motion to fill the blank with \$4, and lost.

The question was then taken on filling with \$3, and not agreed to.

Mr. Hitchings then moved to fill with \$2 50.

And after some debate,

Mr. Hubbell moved to lay on the table.

Lost.

Mr. Root moved that the House adjourn.

Lost.

Mr. Hitchings then withdrew his motion.

Mr. Stetson then moved to fill the blank with \$5.

Lost.

Mr. P. D. Warner moved to fill the blank with \$3 50.

Mr. Truesdell moved that the House adjourn.

Lost.

The question was taken on Mr. Warner's motion, and it did not prevail.

Mr. Lawrence moved to strike out all after the enacting clause.

Pending the question on which,

Mr. Beecher moved to strike out all of section 4.

Lost.

Mr. Church moved a reconsideration of the last vote.

Agreed to.

Mr. Beecher then withdrew his motion to strike out section 4.

Mr. Church then moved to reconsider the vote by which the House adopted the amendment reported back by committee of the whole

and concurred in by the House, which amendment was as follows, viz :

Add to section five, "which shall be in full for such services rendered as against the State."

Agreed to.

Mr. Yocum moved that the House adjourn.

Lost.

Mr. Truesdell then offered the following amendment to the amendment last reconsidered:

Strike out the words "as against the State."

Adopted.

The last amendment, thus amended, was then concurred in.

Mr. Britain then offered the following amendment:

Sec. 2, lines 1 and 2, strike out the words "after their appointment by the commissioners."

Adopted.

Mr. A. H. Moore moved to adjourn.

Lost.

No further amendment being offered,

The question then recurring on the motion of Mr. Lawrence, to strike out all after the enacting clause,

The same did not prevail.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Crosman,

The House adjourned.

Lansing, Thursday, March 6, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called, and the members all present except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. Turner presented the petition of James L. F. Fox, James H. Little, C. Barney and 87 others, of Hampton, Saginaw county, praying for a law to lay out and improve a road from Kaukalling to Pine River, on Saginaw Bay.

Referred to committee on roads and bridges.

Mr. Waite presented the petitions of Jacob French and 164 citizens, and of 204 ladies of Sturgis, St. Joseph county;

Mr. Truesdell: of A. W. Post and 95 other, of Washtenaw county;

Mr. Crosman: of James P. Rexford, Clark Manly and 50 others, of Columbia, Jackson county; of N. G. Lardlee, H. W. Bangs and 78 others, of Leoni, Jackson county; and of James Hawley, B. F. Lewis, Thos. C. Love and 38 others, of Columbia, Jackson county, all asking for legislation on the subject of the license laws, and traffic in ardent spirits.

Severally referred to the committee on State affairs.

Mr. Britain presented the petition of Lewis W. Pearl and 184 others, inhabitants of St. Joseph and vicinity, asking that commutations for highway labor be established, at not less than \$1 00 per day.

Referred to committee of ways and means.

Mr. Crosman presented the memorial of Joel Burgess, setting forth his losses in consequence of a band of outlaws, resident in Ionia county, and asking compensation therefor.

Read, and referred to the committee of ways and means.

Mr. Church, from the judiciary committee, to which was referred A bill to amend chapter 79 of the R. S.; and

A bill to regulate proceedings in attachment in proceedings against foreign corporations;

Reported the same back without amendment, recommended their passage, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and said bills referred to the committee of the whole and placed on the general order.

Mr. D. L. Case, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill supplementary to an act entitled an act to incorporate the Jackson and Michigan plank road company, approved April 3, 1848; also,

Senate bill to amend sections 1, 5 and 8, of an act to incorporate the city of Detroit gas company, and to change the title of said company to that of the "Detroit Gas Light Company,"

Have had the same under consideration, and respectfully report the same back to the House without amendment, and recommend their passage.

D. L. CASE, Ch'n.

The report was accepted and the committee discharged, and the said bills referred to committee of the whole.

Mr. Fowler moved that the committee of the whole be discharged from the further consideration of the bill to amend sections one, five and eight of an act to incorporate the City of Detroit Gas Company, and to change the title of said company to that of the Detroit Gas Light Company.

Agreed to.

The question then being on its engrossment for a third reading.

Mr. Fowler moved a suspension of the rules, and that said bill be now read a third time.

Agreed to.

The bill was then read a third time, and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Corrigan,
D. L. Case,
S. M. Case,
Chandler,
Church,

Mr. Ferry,
Fitch,
Fowler,
Gray,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,

David Clark,
Clyburn,
Corbin,
Crane,
Earl,
J. B. Eaton,
L. Eaton,
Fenton,

Hyde,
Irvine,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,

Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

55
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NAYS.

Mr. D. L. Case moved that the committee of the whole be discharged from the further consideration of the bill to amend an act entitled an act to incorporate the Jackson and Michigan Plank Road Company, approved April 3, 1848.

Agreed to.

Mr. D. L. Case moved that the rules be suspended and said bill be now read a third time.

Lost.

Mr. Patterson moved a reconsideration of the last vote.

Which motion prevailed.

A suspension of the rules was then ordered, the bill read a third time, and passed, by the following vote:

YEAS

Mr. Bacon,
Balcombe,
Barnes,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Darling,
Earl,
J. B. Eaton,
L. Eaton,

Mr. Fenton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

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NAYS.

Mr. D. L. Case submitted the following report from the committee on banks and incorporations:

The committee to whom was referred

Senate bill establishing police regulations for the preservation of property on the lines of rail roads, and for other purposes,

Have had the same under consideration, and have instructed me to report the same back to the House without amendment, and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order. Also the following:

The committee on banks and incorporations, to whom was referred

House bill to amend an act entitled an act to incorporate the Indiana and Adrian plank road company, approved April 3, 1850;

Have had the same under consideration, and report the same back to the House without amendment, and recommend its passage.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Baldwin moved a suspension of the rules, in order to put said bill on its final passage; which motion, after some conversation, he withdrew.

Mr. Minne submitted the following report:

The committee on roads and bridges, to whom was referred Senate bill to amend sections 2, 3, 4, 5 and 6, of an act to create a road fund for the benefit of the German colonists in Saginaw county, and to authorize the appointment of commissioners to expend the same, approved March 31, 1849, and to provide that the duties heretofore performed by special commissioners, shall be performed by certain highway commissioners,

Have had the same under consideration and have made an amendment thereto, in which the concurrence of the House is respectfully asked, recommend the passage of the bill and ask to be discharged from the further consideration thereof.

J. P. MINNE, Ch'n.

The report was accepted the committee discharged, the amendment concurred in, and the bill referred to the committee of the whole and placed on the general order.

Mr. Britain, from the committee of conference on the part of the House, on a disagreement between the two Houses, submitted the following report:

The committee of conference, on the disagreement between the two Houses on section 2 of Senate amendment to

A bill to provide for the payment of the members and officers of the Legislature,

Have had the same under consideration and recommend to the respective Houses the following:

1st. Strike out from 2d Senate amendment the word "fifty," and insert "twenty-five."

2d. Senate concur in House amendment of 3d Senate amendment.

The committee ask to be discharged from the further consideration of the subject.

All which is respectfully submitted

JNO. ROWNE,
Ch'n S. Com.

CALVIN BRITAIN,
Ch'n H. Com.

The report was accepted and the committee discharged, and the amendment to said bill concurred in.

The Speaker announced a communication from the Auditor General, in reply to a resolution of the House.

Ordered laid on the table and printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Beecher moved a reconsideration of the vote of yesterday, by which the House refused to direct the bill to authorize the Auditor General to issue certain land warrants, to take effect immediately.

Which prevailed.

The House then, by a vote of two-thirds of all the members elect, directed that said act shall take effect immediately.

Mr. Fenton, agreeably to previous notice, asked and obtained leave to introduce a bill to amend an act to incorporate the Flint and Fentonville plank road company, approved April 3d, 1848.

Read a first and second time and referred to committee on banks and incorporations.

Mr. H. M. Moore gave notice that on some future day he would ask leave to introduce

A bill to appropriate five thousand acres of the unselected land in the internal improvement fund, for the improvement of Flat River.

Mr. S. M. Case offered the following resolution:

Resolved, That from and after this day the daily sessions of this House shall commence at 9 o'clock, A. M., and 2 o'clock, P. M., until otherwise ordered.

Mr. Church moved to amend by striking out "9" and "2," and inserting "10" and "2½;" which he afterwards withdrew; when

Mr. Truesdell offered the following substitute:

Resolved, That from and after this day, this House will hold but one session a day until otherwise ordered, to commence at 9 o'clock A. M.

Accepted by Mr. Case.

The substitute was then adopted.

Mr. Marvin, pursuant to previous notice, asked and obtained leave to introduce

A bill to authorize school district number 4, in Ypsilanti, to establish a free school in said district.

Read a first and second time and referred to the committee on education.

Mr. H. M. Moore, pursuant to previous notice, asked and obtained leave to introduce

A bill to establish a circuit court in the county of Montcalm.

Read a first and second time and referred to the committee on judiciary.

Mr. Church gave notice that he should move for leave to introduce a bill to amend the act entitled an act to incorporate the Kalamazoo and Grand River rail road company, approved March 17, 1847, and to authorize said company to issue its bonds.

Also, that he should move for leave to introduce a bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids rail road company, approved May 4, 1846, and to authorize said company to issue its bonds.

Mr. Marvin offered the following resolution:

Resolved, That the use of this Hall be granted to Mr. Lesniewski, a Polish patriot, for the purpose of delivering a lecture, this evening on the subject of the revolution in Poland.

Adopted.

Mr. Crosman offered the following resolution:

Resolved, That the Attorney General be requested to deliver his opinion, in writing, to this House, of the term of office of the highway commissioners, as fixed by the revised constitution of this State.

Adopted.

Mr. Hart moved to take from the table and recommit the bill to apportion anew the Representatives among the several counties and districts of this State, to the committee on State affairs, with instructions to adapt the same to a ratio of one Representative for every four thousand five hundred white persons and civilized persons of Indian descent, not members of any tribe, in each organized county, and one Representative for a fraction equal to a moiety of said ratio; and further so to amend said bill as to connect the county of Gratiot with the county of Clinton for representative purposes, and the counties of Manistee, Leelanaw and Omeena with the county of Newaygo for the same purposes.

But the motion did not prevail.

Mr. Hyde moved to take from the table the following resolution, offered by Mr. Darling on the 25th ult:

Resolved, That the ratio of Representation for the House of Representatives of this State be ———; and that the committee on State affairs be and they are hereby instructed to report a bill to this House in conformity therewith."

Which prevailed.

On motion of Mr. Hyde,

Said resolution was then referred to committee of the whole and placed on the general order.

Mr. Hart gave notice that on some future day he would move for leave to introduce a bill establishing courts of conciliation.

On motion of Mr. Hart,

The following resolution, offered by himself on yesterday, was taken from the table, viz:

Resolved, That the Attorney General be requested to communi-

cate to this House his opinion whether any of the provisions of the bill "establishing police regulations for the preservation of property on the lines of railroads, and for other purposes," conflict with the chartered rights and privileges of the Central, Southern or other railroads of the State, and if so, to point out to the House wherein."

The resolution was then adopted.

THIRD READING OF BILLS.

The House having arrived at the order of bills for a third reading, took up the following, which were read a third time and passed, viz:

A bill to amend an act entitled an act to incorporate the Algonquin Mining Company, approved March 30, 1848, by the following vote:

YEAS.

Mr. Bacon,	Mr. Fitch,	Mr. Pierce,
Baldwin,	Fowler,	Root,
Barnes,	Gregory,	Sexton,
Beecher,	Galley,	Shearer,
Butterfield,	S. C. Hall,	Sherwood,
Childs,	Hart,	Shook,
Church,	Hicks,	Smith,
Darius Clark,	Hitchings,	Truesdell,
David Clark,	Hubbell,	Town,
Clyburn,	Hyde,	Turner,
Corbin,	Irvine,	Voorhies,
Covert,	Kimberly,	Waite,
Crane,	Marvin,	P. D. Warner,
Earl,	Minne,	W. Warner,
J. B. Eaton,	Montgomery,	Wheeler,
L. Eaton,	A. H. Moore,	Yocum,
Fenton,	H. M. Moore,	Speaker,
Ferry,	Patterson,	

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NAYS.

Mr. Balcombe,	Mr. H. Hall,	2
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A bill to amend an act entitled an act to incorporate the Siskewit Mining Company of Michigan, approved March 12, 1849, by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. A. H. Moore,
Baldwin,	L. Eaton,	Patterson
Barnes,	Fenton,	Pierce,
Beecher,	Ferry,	Root,
Britain,	Fitch,	Sexton,
Butterfield,	Fowler,	Shearer,

Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Earl,

Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchins,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,

Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

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NAYS.

Mr. Balcombe,

Mr. Crosman,

Mr. H. Hall,

3

Pending the announcement of the vote,

Mr. Irvine moved that Mr. Britain be excused from voting.

But the House refused to excuse him.

Mr. Britain then voted in the affirmative.

A bill to amend an act entitled an act to incorporate the Bohemian Mining Company of Michigan, approved March 27, 1848;

Was also read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Earl,
L. Eaton,

Mr. Fenton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchins,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Shook,
Smith,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

56

NAYS.

Mr. Balcombe,

Mr. H. Hall,

2

A bill to authorize the sale of University lands in the county of Ottawa, to James Hudson, at its appraised value;

Was taken up for a third reading, when

Mr. S. C. Hall moved to re-commit to the committee on public lands, with instructions to make the following amendment, to wit:

"Sec. 6. That all the privileges granted to said Hudson in this act, shall be and are hereby extended to any other occupant of university lands in this State, and not holding a contract therefor; and the supervisors of the three adjoining townships to the one in which any such lands may be situated, shall be the appraisers, in each case."

Lost.

The bill was then read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,

Mr. Corbin,
Crane,
J. B. Eaton,
L. Eaton,
Fenton,
Ferry,
Fowler,
Gregory,
Gulley,
Hart,
Hicks,
Hyde,
Irvine,
Kimberly,

Mr. Lawrence,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Root,
Sexton,
Sherwood,
Stetson,
Town,
Turner,
Waite,

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NAYS.

Mr. Corrigan,
Covert,
Fitch,
H. Hall,
S. C. Hall,
Hitchings,

Mr. Hubbell,
Marvin,
Pierce,
Shearer,
Smith,
Truesdell,

Mr. Voorhies,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

18

Pending the announcement of the vote,

Mr. Fowler moved that Mr. S. C. Hall be excused from voting.

But the House refused to excuse him.

Mr. Hall then voted in the negative.

The question then being on the title of the bill,

Mr. Pierce offered the following as a substitute therefor:

A bill to plunder the University fund of the State of Michigan.

Mr. Hart offered the following as a substitute for the substitute of Mr. Pierce;

A bill of "*irrational policy*."

The Speaker ruled it out of order.

Mr. Church moved to amend the substitute by adding the following thereto;

"And thereby depriving said fund of the ability to extend that instruction to the constituents of the member from Calhoun, of which he has repeatedly stated them to stand in need."

After some conversation, the amendment was withdrawn.

The question recurring on the substitute offered by Mr. Pierce, the same was not adopted.

The original title was then agreed to.

On motion of Mr. J. B. Eaton,

The House then took a recess until 2½ o'clock P. M.

Afternoon Session.

Half-past two o'clock.

The House was called to order by the Speaker.

The roll was called, and the members all present except those excused on account of sickness, and Mr. Levi Eaton and Mr. Fenton.

Mr. Shearer asked and obtained leave of absence for Mr. Eaton, and Mr. Beecher for Mr. Fenton, for the day, on account of indisposition.

The House then went into committee of the whole on the general order, Mr. D. L. Case in the chair.

After sitting some time, the committee rose and by their chairman reported back the following entitled bills:

1. A bill in aid of the Michigan State agricultural society;
2. Joint resolution relative to the interest account between the State of Michigan and certain counties thereof;
3. A bill to amend section 3 of an act entitled an act to incorporate the National Mining Company;
4. A bill to vacate certain village plats in the county of Ottawa and
5. A bill to provide for taxing foreign corporations;

The first and second without amendment, and the third, fourth

and fifth with sundry amendments, in which they asked the concurrence of the House, and to be discharged from further consideration of said bills.

The report was accepted and the committee discharged.

On motion of Mr. Hyde,

The House adjourned.

Lansing, Friday, March 7, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called, and the members were all present except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Beecher presented the petition of J. Boynton and 24 others of Clinton county;

Mr. A. H. Moore: of David Stafford, A. J. Palmer and 80 others of Constantine, St. Joseph county;

Mr. Marvin: of S. M. Loveridge and 23 others of Washtenaw county; and

Mr. Pierce: of J. L. Ortron and 9 others of Albion, Calhoun Co.

All asking for legislation in regard to license laws and traffic in ardent spirits.

Severally referred to the committee on State affairs.

Mr. Hyde presented the petition of John Ellis, C. Hastings and other physicians, for an alteration of the laws concerning the practice of medicine.

Mr. Corrigan: of Charles Villett, Jacob Barton and 24 others of Lasalle, Monroe county, praying that the tax law may be so amended as to require the township treasurer to give public and previous notice of the time when he will make returns of delinquent taxes to the county treasurer.

Referred to the committee of ways and means.

Mr. Gregory: of W. W. Wood and 60 other tax payers of Hillsdale county, asking an amendment to the revised statutes of 1846, respecting the allowance of damages sustained by owners of land through which highways are laid.

Referred to the committee on roads and bridges.

Mr. Bacon: of S. R. Wood, P. B. Barbeau and 47 others, for repeal of the act of 1849, incorporating the village of Ste Marie.

Referred to the committee on the organization of towns and counties.

Mr. Church: of Robert M. Collins, asking for the passage of a law authorizing the making of compensation to him for services as a recruiting officer for the Michigan regiment of volunteers in the Mexican war; and asked its reference to the committee of ways and means.

It was so referred.

Mr. David Clark: of Moses Barstow, Jr., and 56 others of Westphalia, Clinton county, asking the appointment of a special commissioner on the State road from the village of DeWitt to the village of Lyons, in Ionia county.

Referred to the committee on roads and bridges.

REPORTS.

Mr. D. L. Case submitted the following:

The committee on banks and incorporations, to whom was referred a bill to incorporate the Saginaw Bridge Company, have had the same under consideration, and have instructed me to report the same back to the House, and ask to be discharged from the further consideration of the same, and would respectfully recommend its reference to the judiciary committee.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and said bill referred to the committee on judiciary, as recommended.

Mr. Hyde, from the committee on state affairs, to which was referred a bill to provide for taking the census and statistics of this State, reported the same back without any recommendation, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to provide for the organization of certain townships in the county of Tuscola.

MESSAGES.

The Speaker then announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 7, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit herewith,

A bill supplemental to an act to incorporate the Niles Hydraulic and Manufacturing Company, and to amend sections 1, 6, 8, 10, 11 and 13 of said act, also to change the title to that of the Niles Hydraulic Company,

And to respectfully inform you that the Senate have passed the same by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

Very Respectfully,

O. W. MOORE,

Secretary Senate.

The bill was twice read and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. P. D. Warner,

The bill to provide for the election of judges of the circuit courts and regents of the University,

Was taken from the table, referred to the committee of the whole, and made the special order at 11 o'clock, A- M.

Mr. Beecher gave notice that he would on some future day ask leave to introduce a bill for the relief of Gardner Kellogg, M. L. Kellogg and N. H. Chittenden.

Mr. Shook gave notice that he would ask leave on some future day to introduce a bill to establish the township line between the townships of Harrison and Clinton, in the county of Macomb.

Mr. Hart gave notice that on some future day he would move for

leave to introduce a bill to amend the act to incorporate the Detroit, Romeo and Port Huron Rail Road Company.

Mr. Hart, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to incorporate the Port Huron and Lake Michigan Rail Road Company.

Read a first and second time, and referred to the committee on banks and incorporations.

Mr. Church, pursuant to previous notice, on leave, introduced a bill to amend the act entitled an act to incorporate the Kalamazoo and Grand River Rail Road Company, and to authorize said company to issue bonds.

Read a first and second time, and referred to the committee on banks and incorporations.

On motion of Mr. Smith,

The committee of the whole were discharged from the further consideration of a bill to organize certain townships therein named.

Mr. P. D. Warner then moved that the bill be now read a third time.

Agreed to.

The bill was then read a third time, and passed by the following vote:

YEAS,

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Earl,

Mr. L. Eaton,
Ferry,
Fitch,
Powler,
Gray,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Minne,
Montgomery,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker, 57

NAYS,

The House then, by a vote of two-thirds of all the members elect, directed said act should take effect immediately.

On motion of Mr. Gray,

The committee of the whole were discharged from further consideration of the bill to amend an act entitled an act amending an act relative to plank roads, approved March 19, 1849.

Mr. Gray then moved that the bill be now read a third time.

Agreed to.

The bill was then read a third time, and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. Montgomery,
Balcombe,	J. B. Eaton,	A. H. Moore.
Baldwin,	L. Eaton,	H. M. Moore,
Barnes,	Fenton,	Patterson,
Britain,	Ferry,	Pierce,
Butterfield,	Fitch,	Root,
D. L. Case,	Fowler,	Sexton,
S. M. Case,	Gray,	Shearer,
Chandler,	Gregory,	Sherwood,
Childs,	H. Hall,	Shook,
Church,	S. C. Hall,	Smith,
Darius Clark,	Hart,	Stetson,
David Clark,	Hicks,	Truesdell,
Clyburn,	Hitchings,	Turner,
Corbin,	Hyde,	Waite,
Corrigan,	Irvine,	W. Warner,
Covert,	Kimberly,	Yocum,
Crane,	Lawrence,	Speaker,
Crosman,	Minne,	

56

NAYS.

Mr. Hubbell,	Mr. P. D. Warner,	2
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The House then directed, by a vote of two-thirds of all the members elected, that said act shall take effect immediately.

By unanimous consent, the title was then amended by inserting "section 2 of," between the words "amend" and "an."

UNFINISHED BUSINESS.

The House then took up, under the order of unfinished business,

A bill to provide for the payment of the members and officers of the Legislature, reported back by the committee of conference.

Ordered laid on the table.

The House also took up a bill to provide for taxing foreign corporations.

And the question being on concurring in the amendment made in committee of the whole, which was to strike out "five," in line 3 section 1 thereof,

Mr. Fowler moved to indefinitely postpone the whole matter.

And after debate by Messrs. J. B. Eaton, Shearer, Chandler, Kimberly, Pierce and Truesdell,

The question was taken thereon, and the motion did not prevail.

The question then recurring on concurring in the amendment of the committee of the whole,

After further debate by Messrs. Turner, J. B. Eaton, Darius Clark, Beecher and Shearer,

The same was concurred in.

Mr. Pierce then moved that the blank be filled with "fifty."

Pending which,

The Speaker announced that the hour had arrived at which it had been previously agreed to go into committee of the whole on the special order.

The House then resolved itself into committee of the whole on A bill to provide for the election of circuit judges, and regents of the University,

Mr Fitch in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported the same back to the House with an amendment, asked the concurrence of the House therein, and to be discharged from the further consideration of said bill.

The report was accepted and the committee discharged.

The amendment of the committee of the whole was then concurred in.

The question being on its engrossment for a third reading,

Mr. P. D. Warner moved that it be now read a third time.

Agreed to.

The bill was then read a third time, and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,

Mr. Crane,
Darling,

Mr. A. H. Moore,
Pierce,

Barnes,	Earl,	Root,	
Beecher,	J. B. Eaton,	Sexton,	
Britain,	L. Eaton,	Shearer,	
Butterfield,	Ferry,	Sherwood,	
D. L. Case,	Fitch,	Shook,	
S. M. Case,	Fowler,	Smith,	
Chandler,	S. C. Hall,	Stetson,	
Childs,	Hart,	Truesdell,	
Church,	Hubbell,	Town,	
Darius Clark,	Hyde,	Turner,	
David Clark,	Irvine,	P. D. Warner,	
Clyburn,	Kimberly,	W. Warner,	
Corbin,	Lawrence,	Wheeler,	
Corrigan,	Minne,	Yocum,	
Covert,	Montgomery,	Speaker,	51
	NAYS.		Q

The House then by a vote of two-thirds of all the members elected, directed that said act take effect immediately.

Mr. Shearer asked and obtained the unanimous consent of the House to introduce a bill to amend the charter of the Plymouth Plank Road Company.

The bill was read twice and referred to the committee on banks and incorporations.

Mr. Turner moved that the House take a recess until half-past 2 P. M.

When, on motion of Mr. Hyde,
The House adjourned.

Lansing, Saturday, March 8, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members all present except those excused on account of sickness, and Messrs. Fenton, Ferry, Horatio Hall, Marvin, Voorhies and W. Warner.

Mr. Beecher asked and obtained leave of absence indefinitely, for Mr. Fenton; Mr. Church for Mr. Ferry; Mr. Darling for Mr. H. Hall; Mr. Sexton for Mr. Marvin; Mr. Patterson for Mr. Voorhies, and Mr. Truesdell for Mr. W. Warner; all on account of illness.

By unanimous consent, the reading of the journal of yesterday was dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. Smith presented the petition of P. M. Redfield, James Buel and 78 others, citizens of Sanilac county, asking for the entire prohibition of the sale of intoxicating drinks.

Referred to committee on State affairs.

Mr. David Clark: of B. F. Nichols and 28 others of Riley, Clinton county, asking for the appointment of a special commissioner on a State road from the village of Dewitt to Lyons, Ionia county.

Referred to committee on roads and bridges.

Mr. Shearer presented the petition of Geo. Bigelow and others, relative to license laws and traffic in ardent spirits.

Referred to the committee on State affairs.

Mr. Stetson: of A. J. Sheldon; S. R. Selkrig, Wm. R. Watson and 200 others, of the village of Kalamazoo, asking an alteration in the charter of said village.

Referred to the committee on the judiciary.

Mr. Shearer: of L. H. Jones and others, of Lyons, Ionia county, for a change in certain assessments of taxes.

Referred to committee of ways and means.

REPORTS.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to amend sections 1 and 8 of an act to incorporate the Corunna and Saginaw Plank Road Company, approved April 3, 1848; and to amend section 1 of an act to amend an act entitled an act to incorporate the Corunna and Saginaw plank road company, approved April 2, 1840.

Mr. D. L. Case, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred

Senate bill supplemental to an act to incorporate the Niles Hydraulic and Manufacturing company, and to amend sections 1, 6, 8, 10, 11 and 13 of said act, also to change the title to that of the Niles Hydraulic company,

Have had the same under consideration, and respectfully report the same back to the House without amendment, and recommend its passage, and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted and the committee discharged.

Mr. D. L. Case then moved that the rules be suspended, and the said bill be now read a third time.

Agreed to.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. Montgomery,
Balcombe,	J. B. Eaton,	A. H. Moore,
Baldwin,	L. Eaton,	H. M. Moore,
Barnes,	Fitch,	Patterson,
Butterfield,	Fowler,	Root,
D. L. Case,	Gray,	Sexton,
S. M. Case,	Gregory,	Shearer,
Chandler,	S. C. Hall,	Sherwood,
Church,	Hart,	Shook,
Darius Clark,	Hicks,	Smith,
David Clark,	Hitchings,	Stetson,
Clyburn,	Hubbell,	Turner,
Corbin,	Hyde,	Waite,
Corrigan,	Irvine,	P. D. Warner,
Covert,	Kimberly,	Wheeler,
Crane,	Lawrence,	Yocum,
Darling,	Minne,	Speaker, 51

NAYS.

Mr. Pierce, 1

Mr. Hitchings, from the committee on the organization of towns and counties, submitted the following report:

The committee on the organization of towns and counties have had under consideration the petition of citizens of the village of Sault Ste Marie, praying for the repeal of the charter of said village, and through their chairman respectfully report a bill to repeal an act to incorporate the village of Ste Marie, approved April 2, 1849.

They have also had under consideration a petition praying for a change of the boundary line between the towns of Palmyra and Ogden, Lenawee Co., and respectfully report,

A bill to change the boundary between the townships of Palmyra and Ogden, in the county of Lenawee.

J. P. HITCHINGS, Ch'm

The report was accepted and the committee discharged.

The bill last named was read a first and second time, referred to committee of the whole and placed on the general order.

The first named was read a first and second time, when

Mr. Bacon offered the following amendment, to stand as section 2, to wit:

Sec. 2. This act shall take effect immediately.

Adopted.

On motion of Mr. Hyde,

A suspension of the rules was then ordered, the bill read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Crane,
J. B. Eaton,
L. Eaton,
Fitch,
Gray,
Gregory,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Minne,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Waite,
P. D. Warner,
Wheeler,
Yocum,

50

NAYS.

Mr. Speaker,

1

The House then, by a vote of two-thirds of all the members elect, directed that said act shall take effect immediately.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 7, 1851. }

To the Speaker of the House of Representatives:

Sir—I am instructed to inform the House that the report of the

committee of conference on the disagreement between the two houses on a bill to provide for the payment of the officers and members of the Legislature, has been committed to a farther committee, with instructions to confer upon the parliamentary propriety of an amendment by the House originating a bill to an amendment by the other house; to an amendment by the first House, to an amendment to the bill by the other house; and have appointed Senators Riley, LeRoy and Shoemaker, such committee on the part of the Senate, and respectfully ask the appointment of a like committee on the part of the House.

Very Respectfully,

O. W. MOORE,

Secretary of the Senate.

Mr. Church moved that a corresponding committee be appointed on the part of the House.

Mr. Britain moved to amend the motion of Mr. Church, by instructing the committee to inquire into the parliamentary character of all the proceedings had upon said bill of the House.

After some debate,

Mr. P. D. Warner moved to lay the whole subject on the table.

Lost.

The question was then taken on Mr. Britain's amendment, and the same agreed to.

And Mr. Church's motion, thus amended, prevailed.

The Speaker appointed Messrs. Church, Irvine and Britain such committee.

Mr. Stetson, on leave, pursuant to previous notice, introduced

A bill to amend the charter of the village of Kalamazoo, and the acts amendatory thereof.

Read a first and second time and referred to the committee on judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Turner,

The committee of the whole were discharged from further consideration of the

Bill to amend an act entitled an act to create a road fund for the benefit of the German colonists in Saginaw county, and to authorize

the appointment of commissioners to expend the same, approved March 31, 1849.

A suspension of the rules was then ordered on Mr. Turner's motion, and the bill read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corrigan,
Covert,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Fenton,
Fitch,
Fowler,
Gregory,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Minne,
A. H. Moore,
H. M. Moore,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Town,
Turner,
Waite,
P. D. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

50

NAYS.

0

The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

On motion of Mr. Darling,

The committee of the whole were discharged from the further consideration of the bill to authorize the treasurer of the township of Ridgeway to collect certain taxes.

Mr. Darling then offered the following amendment thereto:

Insert in section 2, line 2, after the word "Ridgeway," the words "for the year one thousand eight hundred and fifty."

Adopted.

On motion of Mr. D. L. Case,

The bill was then ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,

Mr. Crane,
Darling,
Earl,
J. B. Eaton,
L. Eaton,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,

Britton,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Fowler,
Gregory,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Minne,
Montgomery,

Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Waite,
Wheeler,
Yocum,
Speaker,

53

NAYS.

Mr. Fitch,

1

On motion of Mr. Darling,

The title was amended by inserting the words "of the county of Lenawee," between the words "Ridgeway" and "to," in the last line thereof.

Mr. Minne gave notice that on some future day he would ask leave to introduce

A bill to amend an act to incorporate the Lapeer and Port Huron plank road company, and to amend an act relative to plank roads approved March 19, 1849.

Mr. Hubbell offered the following resolution, which was adopted:

Resolved, That the Attorney General be requested to report to this House his opinion as to the rate of interest to which counties are entitled after the first day of July in each year, who have returned a portion of their taxes for township and county purposes, as specified in section 91, chapter 20, title 5 of the revised statutes of 1846.

UNFINISHED BUSINESS.

Under the order of unfinished business, the House then took up the bill to provide for taxing foreign corporations.

The question being on the motion of Mr. Pierce, of yesterday, to fill the blank with "50,"

The same was not agreed to.

Mr. P. D. Warner then offered the following amendment:

Amend section 1 by striking out in lines 1 and 2, the words "insurance companies or other," and also by striking out in line 6 the

words "insurance companies or other;" also by striking out in the 10th and 11th lines, the words "the number of policies issued, the amount insured, together with the rates, whether of fire, marine or life insurance companies;" and also by inserting after the word "State," in the 2d line, "except insurance companies;" also by inserting after the word "corporation," in 6th line, "except as aforesaid."

Lost.

Mr. Kimberly moved to strike out all after the enacting clause.

Lost as follows:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
S. M. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Crane;

Mr. Earl,
Fowler,
S. C. Hall,
Hart,
Hyde,
Irvine,
Kimberly,
• Lawrence,
Montgomery

Mr. Pierce,
Root,
Sherwood,
Stetson,
Turner,
Waite.
P. D. Warner,
Speaker,

28

NAYS.

Mr. Baldwin,
Barnes,
Britain,
Butterfield,
D. L. Case,
Chandler,
Childs,
Corbin,
Corrigan,
Covert,

Mr. J. B. Eaton,
L. Eaton,
Fitch,
Gray,
Gregory,
Hicka,
Hitchings,
Hubbell,
Minne,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Sexton,
Shearer,
Shook,
Smith,
Truesdell,
Town,
Wheeler,
Yecum,

30

Mr. Fowler then moved to lay the bill on the table.

Lost by the following vote:

YEAS.

Mr. Bacon,
Beecher,
S. M. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Darling,

Mr. Earl,
Fowler,
S. C. Hall,
Hart,
Hyde,
Irvine,
Kimberly,
Montgomery,

Mr. Pierce,
Root,
Sherwood,
Stetson,
Turner,
Waite,
P. D. Warner,
Speaker,

24

NAYS.

Mr. Balcombe,
Barnes,
Butterfield,
D. L. Case,
Chandler,
Childs,
Corbin,
Corrigan,
Covert,
J. B. Eaton,

Mr. L. Eaton,
Fitch,
Gray,
Hicks,
Hitchings,
Hubbell,
Lawrence,
Minne,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Sexton,
Shearer,
Shook,
Smith,
Truesdell,
Town,
Wheeler,
Yocum,

29

Mr. Irvine then offered the following amendment:

Strike out in section 1, 3d line, after the word "on," "that on the whole amount actually received or charged by any and all such officers or agents," and insert "the net profits of said company within the State of Michigan."

The Speaker ruled the amendment not in order.

Mr. Turner moved that the bill be now read a third time.

Mr. Hubbell moved to recommit the bill to the committee on banks and incorporations, with instructions to fill the blank with "five."

Mr. Fowler moved to recommit the bill to the committee on banks and incorporations, with instructions to report it back to the House a blank.

Pending which,

On motion of Mr. J. B. Eaton,

It was ordered laid on the table.

A bill to vacate certain village plats in the county of Ottawa, was then taken up.

And the question being on concurring in the amendment of the committee of the whole, the same was concurred in.

Mr. Britain then offered the following amendment:

Sec. 1, line 1, after "vacate," insert "whenever all persons interested in said village plat shall file in the office of the county register of said county, a written consent to said vacation."

Which, after some debate by Messrs. P. D. Warner, Root and Church, was adopted.

The bill was then ordered to be engrossed and read the third time.

The House then took up the bill to amend section 3 of an act entitled an act to incorporate the National mining company; the ques-

tion on which being on concurring in the amendment of the committee of the whole, which amendment was to strike out all after the enacting clause, the same was non concurred in.

The bill was then ordered engrossed for a third reading.

Joint resolution relative to the interest account between the State of Michigan and certain counties thereof, reported back by committee of the whole without amendment,

On motion of Mr. Church,

Was laid on the table.

A bill in aid of the Michigan State Agricultural Society, reported back by committee of the whole without amendmet, was taken up.

And the question being on its engrossment for a third reading, Mr. Shearer offered the following amendment:

Sec. 1, line 4, after the word "now," strike out "appropriated," and insert "required."

Adopted.

Mr. Pierce offered the following amendment:

"And provided further, that all societies of mechanics shall, when associated according to the provisions of this bill, be entitled to receive from the treasury of this State the sum of four hundred dollars, when they comply with the provisions of this act."

Which, after some debate, was lost.

Mr. Gray then offered the following:

Provided, That no tax shall be levied on any swampy or low land, to carry out the provisions of this act, unless there be a special provision in said society for a premium on frogs.

The Speaker ruled the amendment out of order.

Mr. Barnes then offered the following:

Provided, That all sums raised by said cociety by membership or otherwise, shall also be paid out for premiums, according to the above regulations. Lost.

Mr. Fitch offered the following amendment: insert in line 1, section 1, before the word "treasurer," the word "State."

Adopted.

Mr. Irvine moved to strike out all after the enacting clause.

After some debate by Messrs. Irvine, Shearer and Hart,

Mr. Hart moved to lay the bill and amendments on the table.

Agreed to.

Mr. J. B. Eaton moved to adjourn.

Lost.

Mr. S. C. Hall offered the following resolution:

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Auditor General shall cause the statement of the lands to be sold for taxes in the county of Barry in October, in the year 1851, to be published in the Barry County Pioneer; which statement shall be published in the same manner, for the same time, and to the same effect as like statements required by law to be published in other cases.

Resolved, That this resolution shall take effect and be in force from and after its passage.

On motion of Mr. Church,

Ordered laid on the table and printed.

By unanimous consent, Mr. Church introduced

A bill to amend an act entitled an act to incorporate the Battle Creek and Grand Rapids railroad company, approved May 4, 1846, and to authorize said company to issue bonds.

Read twice and referred to the committee on banks and incorporations.

Mr. Hyde moved a reconsideration of the vote by which

A bill to amend section 3 of an act to incorporate the National mining company, was ordered engrossed for a third reading.

Agreed to.

On motion of Mr. Hyde,

The bill was then read a third time and passed, by the following vote:

YEAS:

Mr. Bacon,
Barnes,
Butterfield.
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,

Mr. L. Eaton,
Fitch,
Fowler,
Gray,
Gregory,
S. C. Hall,
Hart,
Hicks,
Hitchings,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Truesdell,

Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Darling,
Earl,
J. B. Eaton,

Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Minne,
Montgomery,
A. H. Moore,

Town,
Turner,
Waite,
P. D. Warner,
Wheeler,
Yocum,
Speaker,

50

NAYS.

0

The unanimous consent of the House was given, the like consent having been given by the Senate, to amend

A bill to provide for the discharge of the duties heretofore performed by masters in chancery, by striking out section 7 thereof.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 8, 1851. }

To the Speaker of the House of Representatives:

SIR—Herewith is returned

A bill to provide for the election of judges of the circuits courts and regents of the university;

And I am instructed to respectfully inform you that the Senate have concurred in the House amendment to the Senate substitute therefor, and by a vote of two-thirds of all the Senators elect, have ordered the same to take effect immediately.

Very respectfully,

O. W. MOORE,

Sec'y of Senate.

The bill was ordered enrolled.

On motion of Mr. Hyde,

The House adjourned.

Lansing, Monday, March 10, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called and the members answered to their names, except those excused on account of sickness.

The reading of the journal of Saturday was, by unanimous consent, dispensed with.

And the journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Gregory presented the petition of Levi Baxter, U. B. Couch and 86 others;

Mr. Corbin: of Alvin L. Gilbert, L. Gilbert and 27 others, of Macomb county;

Mr. Minne: of Wm. H. B. Darling and 100 others, of Port Huron, St. Clair county;

Mr. Shearer: of A. Plumsted and 72 others, of Wayne county;

Mr. Smith: of Charles French, J. B. Gilbert and 89 others; all asking for legislation relative to license laws, and traffic in ardent spirits.

Severally referred to the committee on State affairs.

Mr. Town presented the petition of Samuel Lane and 18 others, of Allegan county, asking for the passage of an act to organize a certain township in said county.

Referred to the committee on towns and counties.

Mr. Root presented the memorial of a committee of the directors of the Michigan Southern Railroad Company.

Referred to committee on banks and incorporations.

Mr. Hyde presented the petition of E. Smith Lee, G. C. Bates, Charles Howard, H. H. Emmons and 75 others, citizens of Detroit, for such alteration of the laws as will place all systems of medicine on an equality; and the remonstrance of A. H. Stowell and 50 others, of Detroit, against the passage of a bill now before the Legislature, amending the charter of the city of Detroit.

Severally referred to the judiciary committee.

Mr. J. B. Eaton presented the petition of David W. Taylor, M. Darrall and 19 others, relative to a certain road; and

Mr. P. D. Warner: of J. H. Murray, S. Power and 88 others, of Farmington, Oakland county, asking the vacation of a portion of the Grand River road.

Severally referred to the committee on roads and bridges.

Mr. Church: the petition of H. B. Alden and 18 others, residents of the town of Lowell, in the county of Kent, asking for the appraisal and sale thereupon of the University land located at the mouth of Flat river, in said county.

Referred to the committee on public lands.

Mr. Shook: of Wm. S. Robinson and Robert S. Testa, supervisors of Clinton and Harrison, and others, Macomb county, asking for a law confirming the township line between the townships of Clinton and Harrison.

Referred to the committee on towns and counties.

Mr. Ferry presented the petition of Samuel Austin and 25 others, of Chester, Ottawa county, asking for a reduction of the price of the salt spring lands within said township to \$2 per acre.

Referred to the committee on public lands.

REPORTS.

Mr. Church, from the judiciary committee, to which was referred a bill to establish a circuit court in the county of Montcalm, reported the same back without amendment, recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 8, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to organize certain townships therein named; and

A bill to repeal an act to incorporate the village of St. Mary;

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect, with an amendment to the first named, in which the concurrence of the House is respectfully asked.

Also to transmit

A bill to amend an act to incorporate the Detroit and Erin Plank Road Company, approved April 3, 1848,

And to respectfully inform you that the Senate have passed the same by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,
Secretary Senate.

The Senate amendment to the first was concurred in, and the bill ordered enrolled.

The second was ordered enrolled.

The third was read a first and second time and referred to committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Church offered the following resolution:

Resolved, That the use of this Hall be given to the Hon. Elon Farnsworth, this evening, for the purpose of a lecture upon the subject of the insane, deaf, dumb and blind persons, within this State, and the most expedient provision for their custody and education.

Adopted.

Mr. Beecher offered the following resolution:

Resolved, That from and after to-morrow the daily session of this House shall commence at 9½ o'clock A. M. and 2½ o'clock P. M.

On motion of Mr. Hart,

Ordered laid on the table.

Mr. Ferry introduced

Joint resolution relative to tax sales in Ottawa county.

Read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Minne offered the following resolution:

Resolved, That five hundred copies of the report on agriculture be ordered printed for the use of this House.

Adopted.

Mr. D. L. Case moved to take from the table the bill to provide for the incorporation of individuals and associations for the purpose of banking.

Agreed to by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Beecher,
D. L. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Corrigan,
Crane,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Gray,
Gregory,
Hart,
Hitchings,
Hyde,
Kimberly,

Mr. Minne,
Montgomery,
H. M. Moore,
Root,
Sexton,
Statson,
Truesdell,
Turner,
Waite,
Speaker, 30

NAYS.

Mr. Balcombe,
Britain,
Butterfield,
S. M. Case,
Chandler,
Childs,
Corbin,
Covert,
Darling,

Mr. Fitch,
Fowler,
S. C. Hall,
Hicks,
Hubbell,
Martin,
Marvin,
A. H. Moore,
Patterson,

Mr. Pierce,
Shearer,
Sherwood,
Shook,
Smith,
Town,
P. D. Warner,
Wheeler,

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Pending the announcement of the vote,

Mr. Kimberly moved to excuse Mr. Earl from voting.

Lost.

Mr. Earl then voted in the affirmative.

Mr. Root moved that Mr. Shearer be excused from voting.

Lost.

Mr. Shearer then voted in the negative.

The question then being on concurring in the several amendments reported back by committee of the whole, which amendments were as follows, to wit:

1. Amend section 1 by adding to the section the following:

“And provided further, that before any individual person, or association, shall avail himself, or themselves, of the provisions of this act he or they shall deposit with the State Treasurer money, or funds, sufficient to pay all expenses for materials to be furnished, and services to be rendered by such State Treasurer for such individual person or association.”

2. Amend section 3 by striking out in line 5 the words “and usages.”

3. Amend section 4 by striking out all of said section from the beginning to the word “shall,” in line 6, and insert the following:

“In case it shall appear to the State Treasurer, upon satisfactory evidence by affidavit or otherwise, that the maker or makers of any such circulating note or notes, countersigned and registered as aforesaid, shall at any time hereafter on lawful demand, during the usual hours of business at the place where such note or notes is or are payable, fail or refuse to redeem such notes in the lawful money of the United States, the State Treasurer, on receiving and filing in his office such notes when payment is refused, as aforesaid.”

Also amend section 4 by striking out in line 12 the words "whether protested or not," and in line 13 the words "protested."

5. And also by striking out in line 8, same section, the word "twenty," and insert "——."

6. Amend section 11 by striking from the 6th line the word "five," and inserting "ten."

7. Amend section 12 by striking from the first line all the words from the beginning of the line to "establish," and insert "any person or number of persons, associating themselves, may."

8. Amend section 19 by striking out the word "only," where it occurs in the 5th line, and insert "first;" and by adding to said section the following:

"But in case any such execution shall be returned wholly or in part unsatisfied, for want of joint property on which to levy the same, it shall be competent for the court issuing such execution, to issue a further execution, which may be levied upon the private property of any individual stockholder, not exempt from execution; the plaintiff on such execution having first obtained judgment against such individual."

9. Amend section 21 by striking out all after the beginning of said section to "such," at the end of the 3d line.

10. And also by striking out from said section 21 all after the word "thereof," in line 6, to the word "and," in line 7.

11. Amend section 23 by inserting between "any" and "association," in the 1st line, "banker or banking."

12. Also by striking out the word "in," in the 2d line of said section, and insert "his or their;" and insert in 3d line before the word "association," the words "banker or banking."

13. Amend section 27 in line 3, by striking out "may," and inserting "shall."

14. Also by striking out in 7th and 8th lines, the words "such association or banker," and insert "the interest of the people."

15. And also by adding to said section 27 the following:

"Provided, that any banker or banking association may, upon the demand and at the option of the State Treasurer, deposit other and additional stock or stocks, in such amount or amounts as will, in the opinion of the said treasurer, compensate or equal the depreciation

of the stock or stocks deposited with the said treasurer under the provisions of this act."

16. Amend section 29 by striking out the word "prosecuted," in 6th line, and inserting "proceeded."

17. Amend section 31 by striking out in 4th line the word "one," and inserting the word "two."

The 1st and 2d admendments were concurred in.

The 3d, 4th, 5th and 6th were non-concurred in.

The 7th was concurred in.

The 8th, 9th, 10th, 11th, 12th, 13th and 14th were severally non-concurred in.

The 15th, 16th and 17th were severally concurred in.

Mr. P. D. Warner moved a reconsideration of the vote by which the House refused to concur in the 6th amendment of the committee of the whole.

Agreed to.

The amendment was then concurred in.

The question being on ordering the bill engrossed for a third reading,

Mr. Fowler moved to strike out section 4 of the bill, and insert the following in lieu thereof, viz:

"In case the maker or makers of any such circulating note or notes, countersigned and registered as aforesaid, shall at any time hereafter, on lawful demand, during the usual hours of business at the place where such note or notes is or are payable, fail or refuse to redeem such notes in the lawful money of the United States, the holder of such note or notes, making such demand, may cause the same to be protested for non-payment by a notary public, in the usual manner; and the State Treasurer, on receiving and filing in his office such protest, together with the notes so protested, shall forthwith pay to the holder or holders of said note or notes the full amount of said note or notes in the lawful money of the United States, together with the legal charges for protesting the same, and give notice in writing to the maker or makers of such note or notes to pay the same; and if he or they shall omit to do so for twenty days after such notice, the State Treasurer shall immediately thereupon give notice in some paper published in the city of Detroit, that all the cirou-

lating notes issued by such person or association, will be redeemed out of the trust funds, in his hands for that purpose, and the State Treasurer shall be required to apply the said trust funds belonging to the maker or makers of such protested notes, to the payment of all such circulating notes, whether protested or not, put in circulation by the maker or makers of such protested notes, pursuant to the provisions of this act, and to adopt such measures for the payment of said notes as will, in his opinion, most effectually prevent loss to the holders thereof; and each and every private banker or association of persons under this law, shall be held personally and individually liable for all the liabilities of such bank or banking association of every kind; and it shall be the duty of the State Treasurer, and he is hereby required, (after exhausting the proceeds of the stocks deposited in his hands for the security of the holders of the circulating notes of said bank or banking association, in case any liability should still exist against such bank or banking association,) to bring suit against, and prosecute to final judgment, each and every stockholder of said bank or banking association, in any court of law or equity in this State, or elsewhere, if necessary to carry out the intent and meaning of this law, in his own name and for the benefit of the treasury, and apply the proceeds of such suit or action to reimburse the treasury for all money paid in the redemption of the notes of said bank or banking association, costs of protest, and all costs and charges which may have accrued in the prosecution of such action or suit."

A division of the question was called for and ordered, and the question being taken on striking out, the same did not prevail.

Mr. Pierce offered the following amendment:

Amend section 4, in 8th line, by striking out the words "for twenty days."

The Speaker ruled the amendment not in order.

Mr. Chandler offered the following amendment:

Sec. 2, 3d line, add the word "or" after the words "United States." Strike out the words "or of any of the States of the United States." Strike out of the 4th line, "which public stocks, other than those of Michigan, shall be at par in the city of New York."

A division of the question was asked and ordered, and being first taken on striking out, the same was not agreed to.

Mr Chandler then offered the following amendment:

Sec. 2, 5th line, strike out the word "equal." Insert in the 5th line, after the word "amount," "less ten per cent."

A division of the question was asked and ordered, and the question being first taken on striking out, the same was agreed to.

The question then being on inserting,

Mr. Church moved a reconsideration of the last vote. Agreed to.

Mr. Chandler then withdrew his amendment.

Mr. Church then offered the following:

Insert in line 7 the words "less ten per cent," after the word "said," at the beginning of said line.

Mr. Hyde moved to amend the amendment by striking out "ten" and inserting "five."

A division of the question was ordered, and being first taken on striking out, the same was not agreed to.

The amendment of Mr. Church was then adopted.

Mr. P. D. Warner offered the following amendment:

Amend section 19 by striking out "only," in 5th line, and inserting "first," and add at the end of said section the following: "but in case any such execution shall be returned wholly or in part unsatisfied for want of joint property on which to levy the same, it shall be competent for the plaintiff in such execution to commence a suit against any one or all of the individual stockholders of such association, and to maintain an action thereon before any court having competent jurisdiction; and the execution issued thereon may be levied upon the private property of such individual or individuals (except such as is by law exempt from execution) in the same manner as if the original demand had been against such individual or individuals, provided no individual shall be liable in a greater sum than the amount of stock held by such individual in such association."

Adopted.

The following message was received from the Governor by the hands of S. P. Purdy, Esq., his private secretary:

EXECUTIVE OFFICE,
Lansing, March 8, 1851. }

To the House of Representatives:

I have this day approved, signed, and filed in the office of Secretary of State.

An act to amend sections one and two of act 96, entitled an act to authorize the building of a certain dam therein named, approved March 31, 1840;

An act to amend section one of act No. 109, entitled an act to incorporate the Marshall and Ionia Plank Road Company, approved March 20, 1850;

An act to amend sections 1 and 3 of an act to incorporate the Corunna and Saginaw plank road company, approved April 3, 1848, and to amend section 1 of an act to amend an act entitled an act to incorporate the Corunna and Saginaw plank road company, approved April 2, 1850;

An act to provide for the organization of certain townships in the county of Tuscola;

An act to amend sections 2 and 3 of an act entitled an act to incorporate the Copper Falls Mining Company, approved March 15, 1848; and

An act to amend section 2 of an act entitled an act to incorporate the Portland and Lansing plank road company.

JNO. S. BARRY.

Mr. Hubbell, from the committee on engrossment and enrollment reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to provide for the election of circuit judges and regents of the university.

The House then resumed the consideration of the

Bill to provide for the incorporation of individuals and associations for the purpose of banking.

Mr. Patterson offered the following amendment:

Add at the end of section 35 the following: the State Treasurer shall cause dies to be made to stamp and make bogus money, and cause one-third as much bogus money to be made as he shall issue bank bills; and when the public stocks shall be deposited with the State Treasurer for banking purposes, he shall pay the corporation one-third in bogus money that the banks or banker may have something of some value to redeem their bills with, for the better security of the bill holder.

The Speaker ruled the amendment not in order.

Mr. Gray offered the following amendment:

Amend section 11 by striking out the word "or," where it first occurs in the 7th line, and insert in lieu thereof, the word "and;" also, strike out all after the word "or," where it occurs the second time in said line.

Lost.

Mr. Hubbell offered the following:

Amend section 2, line 3, by inserting between the words "Michigan" and "or," the following: "except bonds issuable for balance of part paid five million loan bonds, including interest to January 1. 1851."

Adopted.

Mr. Britain then moved to recommit the bill to the committee on banks and incorporations with the following instructions:

1st. Associations to redeem their notes on demand, in specie, or forfeit their corporate privileges.

2d. No bank of less than \$50,000 dollars capital to be permitted.

3d. Part paid bonds of Michigan not to be received by Treasurer as security.

4th. Redemption of notes at par by Treasurer to commence immediately after notice of failure to pay.

5th. A sufficient amount of securities to be required and interest on securities retained, to enable the Treasurer to redeem circulating notes as above.

Mr. Church asked for a division of the question on recommitting and instructing.

Mr. Hart moved to lay the bill and motion to recommit on the table.

Lost.

The question then being on the instructions,

Mr. Truesdell offered the following amendment thereto:

Strike out "fifty thousand dollars," and insert "ten thousand dollars."

Lost.

On motion of Mr. Hart,

The House adjourned.

Lansing, Tuesday, March 11, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called, and the members all present except those excused on account of sickness, and Mr. Pierce.

Mr. Wheeler asked and obtained leave of absence indefinitely, for Mr. Pierce, on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. Chandler presented the petition of Andrew Wood and 14 others; of Andrew Still and 25 others; of Nelson Lowell and 81 others; and of Aratas Smith and 15 others; all of Washington, Macomb county, severally asking for legislation in regard to the license laws and traffic in ardent spirits.

Severally referred to the committee on State affairs.

Mr. Hyde: of George Allen, of Wayne county, asking relief for moneys paid the State, as set forth in papers thereto annexed.

Referred to committee on public lands.

REPORTS.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to repeal an act to incorporate the village of St. Mary, approved April 2, 1849; and

An act to organize the township of Heath, in the county of Allegan, and the township of Austin, in the county of Sanilac.

Mr. Hitchings, from the committee on the organization of towns and counties, submitted the following report:

The committee on the organization of towns and counties have had under consideration the petition of citizens of the county of Allegan, praying for the organization of a certain township therein named, and through their chairman respectfully report that they have had the same under consideration, and report a bill, recommending its passage.

Also a petition of the citizens of the townships of Harrison and Clinton, in the county of Macomb, asking for a law establishing the township line between the townships of Clinton and Harrison, in the county of Macomb, and respectfully report a bill to establish the same, recommend its passage, and ask to be discharged from the further consideration thereof.

J. P. HITCHINGS, Ch'n.

The report was accepted, the committee discharged, the bills read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Patterson, from the committee on the militia, submitted a report in writing, accompanied by a bill to amend an act entitled an act to provide for organizing an active militia, and for other purposes, approved May 18, 1846.

The report was accepted, the committee discharged; and the bill and report ordered laid on the table and printed.

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred

A bill to amend an act to incorporate the Detroit and Erin Plank Road Company, approved April 3, 1847;

Reported the same back without amendment, recommended its passage, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and said bill referred to the committee of the whole and placed on the general order.

Mr. D. L. Case, also from the same committee, to which was referred

A bill to amend an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad company;

A bill to amend sections 1, 3, 4 and 5 of an act entitled an act to incorporate the Kalamazoo and Grand River Railroad company, approved March 17, 1847; and

A bill to amend sections 3, 4 and 5, of an act entitled an act to incorporate the Battle Creek and Grand Rapids Railroad company, approved May 14, 1846;

Report the same back without amendment, recommend their passage and ask to be discharged.

The report was accepted, the committee discharged, and said bills severally referred to committee of the whole and placed on the general order.

Mr. Church, from the judiciary committee, submitted the following report:

The committee on the judiciary to whom was referred a bill to amend an act for the relief of Thomas N. Bartlett, reported back the same without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

The Speaker announced the following communication from the Attorney General, in reply to a resolution of the House:

OFFICE OF THE ATTORNEY GENERAL, }
Lansing, March 10, 1851. }

To the Hon. the House of Representatives:

I have received from the Clerk of the House the following resolution:

Resolved, That the Attorney General be requested to deliver his opinion, in writing, to this House, respecting the term of office of the highway commissioners, as fixed by the revised constitution of this State.

The first section of article eleven specifies the officers to be elected annually, on the first Monday of April, in each organized township. Among the officers named, is that of one commissioner of highways. It is undoubtedly intended by the provision, that there shall be but one commissioner, who shall perform solely the duties appertaining to the office. By the annual election, the office, of course, is limited to a term of one year. The provision was, doubtless, adopted without reference to existing laws. Had there been an intention to create more than one commissioner, the number would have been fixed, as well as the tenure of the office, and some direction would have been given for their classification.

WILLIAM HALK,
Attorney General.

The unanimous consent of the House was given to amend sec-

tions 2, by striking out in said sections, the words "and not exceeding one-half the amount of the capital stock," of the following entitled acts, the like consent having been given by the Senate:

An act to amend an act entitled an act to incorporate the Algonquin mining company, approved March 30, 1848;

An act to amend an act entitled an act to incorporate the Siskowit Mining Company of Michigan, approved March 12, 1849; and

An act to amend an act entitled an act to incorporate the Bohemian mining company, approved March 27, 1848.

Unanimous consent was also given, to strike out the words "appropriation act No. 103," and insert "an act appropriating certain internal improvement lands for the improvement of a State road in the counties of Livingston and Genesee," in section 1 of "an act to authorize the Auditor General to issue certain land warrants."

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Beecher, by consent, introduced:

Joint resolutions for the relief of Gardner Kellogg and others.

Read a first and second time, and referred to the committee on public lands.

Mr. J. B. Eaton, pursuant to previous notice, on leave, introduced:

A bill to amend an act entitled an act to incorporate the Grand River Valley Railroad Company, approved May 4th, 1846, and an act amendatory thereto, approved March 17, 1847.

Read a first and second time, and referred to the committee on banks and incorporations.

Mr. Minne offered the following resolution:

Resolved, That the thanks of this House be tendered Hon. Elon Farnsworth for the eloquent and able address delivered in the Hall of the House of Representatives, on the subject of the condition of the unfortunate deaf, dumb, blind and insane of our race, and the important necessity of their relief.

And also, the highest acknowledgments to the Hon. Charles H. Taylor, Secretary of State, for the lucid and able manner in which he also addressed the House on the same occasion.

Adopted.

Mr. Minne, pursuant to previous notice, on leave, introduced:

A bill to amend section one of an act amending an act relative to Plank Roads, approved March 19, 1849.

Read a first and second time and referred to the judiciary committee.

Mr. Church offered the following resolution:

Resolved, That the Hon. Elon Farnsworth be requested to furnish to this House, for publication by the same, a copy of the address delivered by him on the evening of the 10th, in the Representative Hall.

Resolved further, That a committee of two be appointed to communicate the above resolution to the Hon. Elon Farnsworth, and to report their action hereunder to this House.

Adopted.

The Speaker appointed Messrs. Shearer and Ferry such committee.

Mr. Chandler, by unanimous consent, introduced a bill to amend chapter 60, title 12, of the revised statutes.

Read a first and second time and referred to committee on the judiciary.

On motion of Mr. Darling,

The following resolution, offered by himself on the 24th ult., was taken from the table; to wit:

Resolved, That the committee on education be instructed to inquire into the expediency of so amending the existing law relating to the State University, as to provide for the arrangement or selection of a course or courses of study in either or all of its departments, for such students as may not desire or choose to pursue the usual collegiate course embracing the ancient languages; and to provide for the admission of such persons without previous examination as to their attainments in the said languages; and for granting such certificates at the end of the term as may be appropriate to their respective attainments in the course or courses of study pursued.

And after some remarks thereon, by Mr. Darling, the resolution was adopted.

The Speaker, by consent, announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 10, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to amend section 3 of an act entitled an act to incorporate the National Mining Company, approved April 1, 1848;

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect, with amendments, in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

Secretary Senate.

The amendments to said bill were severally concurred in, and the bill as amended was ordered enrolled.

THIRD READING OF BILLS.

Under the order of third reading of bills,

A bill to vacate certain village plats in county of Ottawa,

Was taken up, read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Crane,
Crosman,
Earl,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Irvine,
Kimberly,
Lawrence,
Martin,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Waite,
P. D. Warner,
Wheeler,
Speaker,

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NAYS.

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The House then, by a vote of two-thirds of all the members elect, directed that said act shall take effect immediately.

UNFINISHED BUSINESS.

Under the order of unfinished business, the House took up

The bill to provide for the incorporation of individuals and associations of persons, for the purpose of banking;

Mr. Irvine in the chair.

The question in order being on the motion of Mr. Britain to recommit to the committee on banks and incorporations, with instructions, it was discussed at length by Messrs. Thurber, Britain and D. L. Case.

Pending the debate,

Mr. Turner moved that the House take a recess until half-past 2 o'clock P. M.

Mr. Bacon moved that the House adjourn.

Which he withdrew; when

Mr. Hyde, by unanimous consent, presented the memorial of Jas. F. Joy, on behalf of the Michigan Central rail road company, and asked its reference to the committee on banks and incorporations.

It was ordered so referred.

Mr. Bacon then renewed his motion.

But it did not prevail.

The question was then taken on the motion of Mr. Turner,

And the same was agreed to.

Afternoon Session.

½ past two o'clock P. M.

The House was called to order by the Hon. Mr. Irvine.

The roll was called, and a quorum present.

The House then resumed the consideration of

A bill to provide for the incorporation of individuals and associations of persons for the purposes of banking.

The pending question on which, was on the motion of Mr. Britain to recommit to the committee on banks and incorporations with instructions.

The question was taken thereon, and the motion did not prevail.

Mr. P. D. Warner then offered the following amendment:

Amend section 4, by striking out all after the word "may," in the 4th line of said section, to and including the word "every," in

the 15th line, and insert the following: "make and file his affidavit of that fact with the State treasurer, who shall thereupon give public notice that the circulating notes issued by such person or association will be redeemed at his office; and the said treasurer is authorized and required to sell at public auction or private sale, within twenty days, so much of any stock deposited with him by such person or association, as shall be necessary to redeem any circulating notes of such person or association, and apply the proceeds of such stock in the redemption of such circulating notes. No stock shall be sold at private sale for less than the par value thereof, nor at less than the market value in the city of New York, at the time of such sale; nor shall any stock be sold on credit; and for any deficiency in the sale of said stock, to pay the holders of the circulating notes of any such person or association, every such."

A division of the question was called for, and ordered.

And the question being first taken on striking out, the same was not agreed to.

Mr. Stetson, voting with the majority, moved a reconsideration of the vote by which the House refused to recommit the bill to the committee on banks and incorporations, with instructions.

After considerable debate by Messrs. Britain, D. L. Case, Church, Thurber and P. D. Warner, the question was taken on Mr. Stetson's motion.

And the same did not prevail as follows:

YEAS.

Mr. Britain,
Butterfield,
Calkins,
S. M. Case,
Childs,
David Clark,
Covert,
Crosman,
Darling.

Mr. L. Eaton,
Fitch,
Fowler,
S. C. Hall,
Hicks,
Hubbell,
Lawrence,
Martin,
Marvin.

Mr. Minne,
Patterson,
Sexton,
Shearer,
Sherwood,
Smith,
Stetson,
Town,
P. D. Warner, 27.

NAYS.

Mr. Bacon,
Baldwin,
Beecher,
D. L. Case,
Chandler.

Mr. J. B. Eaton,
Ferry,
Gray,
Gregory,
Hart.

Mr. H. M. Moore,
Root,
Shook,
Truesdell,
Turner.

Church,
Darius Clark,
Clyburn,
Corbin,
Crane,
Earl,

Hitchings,
Hyde,
Irvine,
Kimberly,
Montgomery.

Waite,
Watkins,
Wheeler,
Yocum.
Speaker,

31

Mr. Church then offered the following amendments:

1. Amend section 2 by inserting in line 5, after the word "treasurer," the words "the Governor of the State advising and consenting thereto."
2. To amend section 5, by striking out "shall," in line 1, and inserting "may."
3. To insert in line 6, after the word "treasurer," the words "by and with the advice and consent of the Governor."
4. To insert in section 8, after the word "treasurer," in line 2, "by and with the advice and consent of the Governor."
5. To insert in line 8 of section 27, after the word "treasurer," the words: "the Governor advising and consenting thereto;" and in the amendment to this section, (being a proviso,) the same words in line 5, after the word "treasurer."
6. To amend section 28, by inserting after the word "treasurer," in 2d line, the words "and Governor."
7. To amend section 29, by inserting after the word "treasurer," in 2d line, the words "or Governor."
8. Section 30, by inserting after the word "him," in 5th line: "the Governor advising and consenting thereto."
9. Sec. 31, in line 7, after the word "treasurer," in lines 6 and 7, insert "the Governor assenting thereto."
10. Amend section 28, by striking out the words "they are or may be," in the 3d line, and inserting the words "as are now possessed by him, the Auditor General and the Secretary of State."

Pending the question, on which he moved to lay the bill and amendments on the table.

Agreed to.

The following message was received from the Governor, by the hands of his Private Secretary:

EXECUTIVE OFFICE, }
Lansing, March 10, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act to provide for the election of Circuit Judges and Regents of the University.

JNO. S. BARRY.

Also the following:

EXECUTIVE OFFICE, }
Lansing, March 11, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act to repeal an act to incorporate the village of St. Mary.

JNO. S. BARRY.

On motion of Mr. Patterson,

The House adjourned.

Lansing, Wednesday, March 12, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called and the members all present except those excused on account of sickness, and Messrs- Bacon, Beecher, Britain, S. M. Case, Childs, Gulley, Irvine and Watkins, absent without leave.

Mr. Smith asked and obtained leave of absence for Mr. Gulley, indefinitely, on account of sickness.

The reading of the journal of Saturday was, by unanimous consent, dispensed with.

And the journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Butterfield presented the petition of H. Griswold and 64 others, citizens of Niles township, asking a law to attach a portion of the township of Niles to Bertrand.

Referred to the committee on towns and counties.

Mr. Butterfield also presented the petitions of Levi B. Taft and 52 others; and of A. B. Chipman and 19 others;

Mr. Gray: of Henry B. Knapp and 400 others;

Mr. Crosman: of Harriet Swegles, Eliza W. Merrill, Sarah E. Sturgis and 165 others, ladies of the vicinity of Lansing, Ingham county; and

Mr. Chandler: of Jacob Jones and 27 others, of Romeo, Macomb county; of John N. Selleck and 18 others, of Ray; of L. D. Qwen and 33 others, of Bruce; of C. F. Mullen and 37 others, of Romeo; and of Hugh Gray and 22 others, of Bruce, Macomb county all asking for legislation on the subject of the license laws, and the traffic in ardent spirits.

Severally referred to the committee on State affairs.

REPORTS.

Mr. Church, from the judiciary committee, to which was referred A bill supplementary to the acts of incorporation of the city of Detroit;

Reported the same back with an amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands to whom was referred

Joint resolutions for the relief of Gardner Kellogg and others,

Have had the same under consideration, and instructed me to report the same back to the House without amendment, recommend its passage, and ask to be discharged from the further consideration thereof.

D. SHOOK, Ch'n.

The report was accepted and the committee discharged.

Mr. Beecher moved that the joint resolutions be now read a third time.

Agreed to.

The resolutions were then read a third time and passed by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Beecher,
Britain,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,

Mr. Covert,
Crane,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hyde,
Irvine,
Lawrence,
Martin,

Mr. Marvin,
Minne,
Montgomery,
A. H. Moore,
Sexton,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Turner,
Waite,
Wheeler,
Yocum,

43

NAYS.

Mr. Barnes,
Crosman,
Fowler,
Gray,

Mr. Hubbell,
Patterson,
Root,
Shearer,

Mr. Smith,
P. D. Warner,
Speaker,

11

The House then directed, by a vote of two-thirds of all the members, that said joint resolutions take effect immediately.

Mr. Church, from the judiciary committee, to which was referred

A bill to amend section 1 of an act entitled an act amending an act relative to plank roads, approved March 19, 1849; and

A bill to amend chapter 60, title 12, of the revised statutes, relative to University and school lands,

Reported the same back, recommended their passage, and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, and the bills referred to the committee of the whole and placed on the general order.

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred a bill to authorize the formation of telegraph companies, reported the same back, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged and the bill referred to the committee of the whole and placed on the general order.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 11, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to authorize the transfer of a certain record from the county of Berrien to Cass county,

And to respectfully inform you that the Senate have concurred therein with an amendment, in which the concurrence of the House is respectfully asked.

. Also to transmit

A bill to amend the second and fourth sections of an act to incorporate the Erin and Mt. Clemens plank road company, approved March 20, 1850;

A bill to amend an act to incorporate the Mount Clemens and Romeo plank road company;

A bill to amend sections 4, 5, 6 and 11, and to repeal section 17, of an act entitled an act to incorporate the Cotton Wood Swamp Turnpike Company, approved March 9, 1844; and

A bill for the better protection of inn keepers and others,

Which the Senate have passed, the first three named by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Secretary Senate.

The amendment to the first named was concurred in, and the same ordered enrolled as amended.

The 2d, 3d, 4th and 5th were severally twice read and referred to the committee on banks and incorporations.

Also the following:

SENATE CHAMBER,
Lansing, March 11, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to respectfully inform you that the Senate have concurred in the House amendments to the following named

bill, by a vote of two-thirds of all the Senators elect, have ordered the same, as amended, enrolled, viz:

A bill to amend sections 2, 3, 4, 5 and 6 of an act to amend an act entitled an act to create a road fund for the benefit of the German colonists in Saginaw county, and to authorize the appointment of commissioners to expend the same, approved March 31, 1849, and to provide that the duties heretofore performed by special commissioners, shall be performed by certain highway commissioners.

Very respectfully,

O. W. MOORE,

Sec'y of Senate.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Church offered the following resolution:

Whereas, This House did by resolution, of date the 11th of Feb., order the publication of 500 copies of the Governor's message in German; 500 copies in French; and 1000 copies in the Dutch languages, in newspaper form; therefore

Resolved, That the said resolution be now modified by a direction that the said copies be printed in pamphlet form, and that the Secretary of State be directed to cause the copies printed in Dutch to be properly distributed.

Adopted.

Mr. Crosman offered the following:

Resolved, That the use of this Hall be given to Miss E. Bliss, this evening, for the purpose of a musical concert.

Adopted.

Mr. Turner gave notice that at an early day he would ask leave to introduce

A bill to authorize associations to construct bridges, under certain restrictions.

Mr. Calkins gave notice that on some future day he would ask leave to introduce

A bill to provide for holding terms of the circuit court in the county of Tuscola.

Mr. Church, by unanimous consent, introduced

A bill to amend section 58 of an act entitled an act to incorporate the city of Grand Rapids, approved April 2, 1850.

Read a first and second time, referred to committee of the whole and placed on the general order.

On motion of Mr Hart,

The bill to provide for the incorporation of individuals and associations of persons for the purposes of banking, was taken from the table and made the special order of the day for this day, at 10 $\frac{1}{2}$ o'clock . A. M.

By unanimous consent,

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred the

Petition of M. P. Mason and 150 others, for an act extending time to complete their road from Tecumseh to Jackson.

Reported the same back to the House and recommended no action thereon, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged, when

Mr. J. B. Eaton asked and obtained the unanimous consent of the House to withdraw said petition from the files thereof.

On motion of Mr. Darling,

The committee of the whole were discharged from the further consideration of the bill to change the boundary between the townships of Palmyra and Ogden, in the county of Lenawee.

On motion of Mr. Darling,

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Church,
Darius Clark,
David Clark,
Olyburn,
Corbin,
Corrigan,
Covert,

Mr. J. B. Eaton,
L. Eaton,
Fitch,
Fowler,
Gray,
Gregory,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Waite,
Watkins,

Crane,
Crosmen,
Darling,
Earl,

Martin,
Marvin,
Minne,

Wheeler,
Yocum,
Speaker,

55

NAYS.

0

The House then, by a vote of two-thirds of all the members elected thereto, directed that said act shall take effect immediately.

Mr. Shearer moved to take from the table a bill in aid of the Michigan State Agricultural Society.

Lost.

Mr. Lawrence moved that the House adjourn.

Lost.

On motion of Mr. Hyde,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled an act to incorporate the Detroit and Erin Plank Road Company, approved April 3, 1848.

And the same being consideration,

Mr. Britain offered the following amendment thereto:

Amend section 1 by adding thereto as follows: "And provided further, that said company shall at all times be subject to all general laws in force relating to plank road companies."

After some debate by Messrs. Britain and Hyde, the amendment was adopted.

The bill was then ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,

Mr. Crane,
Crosmen,
Darling,
J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gray,
Gregory,
S. C. Hall,
Hart,
Hicks,
Hitchings,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Sherwood,
Shook,
Smith,
Stetson,
Trussell,
Turner,
P. D. Warner,

Clyburn,
Corbin,
Corrigan,
Covert,

Irvine,
Lawrence,
Marvin,
Minne,

Wheeler,
Yocum,
Speaker,

50

NAYS.

Mr. Hubbell,
Kimberly,

Mr. Shearer,

Mr. Town,

4

The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

The House then, it being 10½ o'clock A. M., went into consideration of the special order, the same being the bill to provide for the incorporation of individuals and associations of persons for the purposes of banking;

Mr. Irvine in the chair.

The pending question thereon being the following amendments offered thereto, yesterday, by Mr. Chubb, viz:

1. Amend section 2 by inserting in line 5, after the word "treasurer," the words "the Governor of the State advising and consenting thereto."

2. To amend section 5, by striking out "shall," in line 1, and inserting "may."

3. To insert in line 6, after the word "treasurer," the words "by and with the advice and consent of the Governor."

4. To insert in section 8, after the word "treasurer," in line 2, "by and with the advice and consent of the Governor."

5. To insert in line 8 of section 27, after the word "treasurer," the words: "the Governor advising and consenting thereto;" and in the amendment to this section, (being a proviso,) the same words in line 5, after the word "treasurer."

6. To amend section 28, by inserting after the word "treasurer," in 2d line, the words "and Governor."

7. To amend section 29, by inserting after the word "treasurer," in 2d line, the words "or Governor."

8. Section 30, by inserting after the word "him," in 5th line: "the Governor advising and consenting thereto."

9. Sec. 31, in line 7, after the word "treasurer," in lines 6 and 7, insert "the Governor assenting thereto."

10. Amend section 28, by striking out the words "they are or may

be," in the 3d line, and inserting the words "as are now possessed by him, the Auditor General and the Secretary of State."

After considerable debate by Messrs. Thurber, Britain, Church and Fitch,

The 1st, 2d, 3d, 4th, 5th, 6th and 7th branches thereof, were severally adopted.

The 8th and 9th were adopted by the following vote:

YEAS.

Mr. Baldwin,	Mr. Corrigan,	Mr. Minna,
Barnes,	Crane,	Montgomery,
Beecher,	Crosman,	H. M. Moore,
Calkins,	Earl,	Root,
D. L. Case,	J. B. Eaton,	Shook,
Chandler,	Gray,	Truesdell,
Church,	Gregory,	Turner,
Darius Clark,	Hart,	Waite,
David Clark,	Hitchings,	Watkins,
Clyburn,	Irvine,	Yocum,
Corbin,	Kimberly,	Speaker, 33

NAYS.

Mr. Balcombe,	Mr. Fowler,	Mr. Patterson,
Britain,	S. C. Hall,	Sexton,
Butterfield,	Hicks,	Shearer,
S. M. Case,	Hubbell,	Sherwood,
Childs,	Lawrence,	Smith,
Covert,	Martin,	Stetson,
Darling,	Marvin,	Town,
L. Eaton,	A. H. Moore,	P. D. Warner, 25
Fitch,		

Mr. Thurber offered the following amendment to the 10th branch:

Strike out the word "him," in the last line thereof, and insert "the treasurer;" so that it would read, "as now possessed by the Treasurer and the Auditor General and the Secretary of State."

Accepted by Mr. Church.

And thus modified, the amendment was adopted.

Mr. Britain moved to strike out section 28.

After considerable debate by Messrs. Britain and Thurber, the motion was agreed to by the following vote:

YEAS.

Mr. Britain,	Mr. Fowler,	Mr. Sexton,
Butterfield,	S. C. Hall,	Shearer,
Calkins,	Hicks,	Sherwood,

S. M. Case,
Chandler,
Darius Clark,
David Clark,
Covert,
Crosman,
Fitch,

Hitchings,
Hubbell,
Lawrence,
Marvin,
Minne,
A. H. Moore,

Smith,
Stetson,
Town,
P. D. Warner,
Watkins,
Yocum,

28

NAYS.

Mr. Baldwin,
Barnes,
Beecher,
D. L. Case,
Church,
Clyburn,
Corbin,
Corrigan,
Crane,

Mr. Darling,
Earl,
J. B. Eaton,
Ferry,
Gray,
Gregory,
Hart,
Hyde,
Irvine,

Mr. Kimberly,
Montgomery,
H. M. Moore,
Root,
Shook,
Truesdell,
Turner,
Waite,
Speaker, 27

Mr. Britain then moved to strike out "pro rata," in section 12.

And after some debate, he modified the motion by adding "and of the whole accounts."

A division was called for and ordered.

The question then being on striking out,

The same was agreed to, as follows:

YEAS

Mr. Britain,
Butterfield,
Calkins,
S. M. Case,
Darius Clark,
David Clark,
Corrigan,
Covert,
Darling,
L. Eaton,

Mr. Fowler,
S. C. Hall,
Hicks,
Hitchings,
Hubbell,
Lawrence,
Martin,
Marvin,
A. H. Moore,
Patterson,

Mr. Sexton,
Shearer,
Sherwood,
Smith,
Stetson,
Town,
P. D. Warner,
Watkins,
Wheeler,
Yocum, 30

NAYS.

Mr. Baldwin,
Barnes,
Beecher,
D. L. Case,
Chandler,
Church,
Clyburn,
Corbin,
Crane,

Mr. Earl,
J. B. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
Hart,
Irvine,
Kimberly,

Mr. Minne,
Montgomery,
H. M. Moore,
Root,
Shook,
Truesdell,
Turner,
Waite,
Speaker, 27

Mr. P. D. Warner moved to take a recess.

Mr. Barnes moved that the House adjourn. Lost.

Mr. Warner then withdrew his motion.

Mr. D. L. Case offered the following, to stand as section 28, viz:

Sec. 28. Every banking association and individual banker carrying on banking business under this act, shall be subject to the inspection and supervision of the State Treasurer, and it shall be the duty of the said Treasurer to examine into the affairs and condition of said banks, at least once in each year, and oftener if he should see fit; and for that purpose he shall have power to examine the books, papers and personal property of said banks, and to administer all necessary oaths to the directors, officers, clerks or agents of said banks, and to examine them under oath in relation to the affairs and condition thereof; if the treasurer, auditor general and secretary of state, or a majority of them, should decide at any time that said banks were insolvent, either upon the examination of the treasurer, or upon satisfactory evidence to them that said banks have refused to pay any of their circulating notes, when lawfully demanded, in gold or silver coin, they shall forthwith appoint a receiver or receivers, and require of him or them such bond and securities as they shall deem proper; who shall proceed to take possession of the books, records and assets of every description of said banks, collect all debts, dues, and other claims belonging to said banks, settle and compound for all bad and doubtful debts; sell all the real and personal property of said banks, prosecute the stockholders of said banks in all cases where they are personally liable, and to pay over all moneys so made to the state treasurer. Said receiver or receivers shall receive such compensation as the state treasurer, auditor general, and secretary of state, or a majority of them, shall determine; which the state treasurer shall pay out of any money paid into his office by said receiver or receivers; and all other expenses shall be determined and paid in the same manner. The state treasurer shall cause notice to be given by advertisement, in one daily paper published in the city of Detroit, and also in the state paper, for six consecutive months, calling on all persons who have claims against said banks, to make legal proof, and after the end of one year after the first publication of such notice, the treasurer, after the full provisions shall have been made for redeeming the circulating notes of said banks, shall make a

rateable dividend of the moneys so paid over to him by such receiver or receivers, on all such claims as may have been proved; and from time to time, as the proceeds of the assets of said banks shall be paid over to him, the said treasurer shall make further dividends as aforesaid on all claims proved; and the remainder, if anything, shall be paid over to the stockholders of said banks, or their legal representatives, in proportion to the stock by them severally held. The auditor general, secretary of state and state treasurer, or a majority of them may at any time, upon evidence satisfactory to them, vacate the appointment of any receiver or receivers, and appoint others, or they may reinstate said banks in the possession of any and all assets that may have been in possession or charge of said receiver or receivers; and any of the justices of the supreme court are hereby authorized summarily to make and order, or issue any process, which a court of chancery might make or issue, to enable the said officers to carry out the provisions of this act. And said banks are hereby required on the demand of said treasurer to submit to full examination on the part of said treasurer, and any refusal to submit to said examination shall operate and be construed as a forfeiture of its charter.

Pending the question on which,

Mr. Crossman moved that the House adjourn.

Lost.

On motion of Mr. Minne,

The House then took a recess until 2½ o'clock P. M.

Afternoon Session.

Half-past two o'clock.

The House was called to order by the Speaker.

The roll was called, and the members were all present except, those excused on account of sickness, and Messrs. Bacon, Earl, Gray, Hyde, Minne and Wheeler absent without leave.

Mr. Turner moved a call of the House.

Agreed to.

The Sergeant-at-Arms was dispatched after the absentees.

Mr. Fowler moved that further proceedings under the call be dispensed with. Lost.

Mr. Fowler then moved that the House adjourn.

Mr. Church raised a point of order on the motion of Mr. Fowler.

The Speaker decided the motion in order.

Mr. Church appealed from the decision of the chair.

The question was then put, "shall the decision of the chair stand as the decision of the House?"

And the same was decided in the affirmative.

The question was then taken on the motion to adjourn.

And the same was not agreed to.

The Sergeant-at-arms soon after appearing, with several of the absentees in custody,

On motion of Mr. Irvine,

All further proceedings under the call were dispensed with.

The House then resumed the consideration of

The bill to provide for the incorporation of individuals and associations of persons, for the purpose of banking.

The pending question on which, being on the amendment offered by Mr. D. L. Case, to stand as section 28,

After a lengthy debate by Messrs. Hart, Shearer, Church and H. M. Moore,

Mr. Britain offered the following amendment to the amendment of Mr. Case:

Insert after the word "that," in 9th line, the words "any one of said banks is."

Adopted.

The amendment of Mr. Case was then adopted.

Mr. Corrigan moved a reconsideration of the vote by which the words "pro rata," in line 12 of section 4, were stricken out, and the words "of the full amount," inserted.

Lost.

Mr. Irvine offered the following amendment:

In section 5, line 3, after word "powers," strike out "may" and insert "shall."

Adopted.

Mr. Barnes offered the following:

Strike out in 8th line of section 4, the word "twenty" and insert "three."

A division was ordered, and the question being first taken on striking out, the same was agreed to.

Mr. Chandler then moved to fill the blank with 10.

Mr. Crosman moved to fill with 14.

Lost.

The question was then taken on filling with 10.

Lost.

Mr. H. M. Moore moved to fill with 5.

Agreed to.

Mr. Hart offered the following to stand as three new sections, to wit:

Sec. 36. This act shall be submitted to the people for their adoption or rejection, at the general election to be held on the first Tuesday of November, one thousand eight hundred and fifty-one; and it shall be the duty of the Secretary of State, and all other officers required to give or publish any notice in regard to said general election, to give notice as required by law in case of an election of Governor, that this law for banking purposes, has been duly submitted to a vote of the electors of the State at said election.

Sec. 37. At said general election, a ballot box shall be kept by the several boards of inspectors thereof, for receiving the votes cast for or against the adoption of this law for banking purposes, and on the ballots shall be written or printed, or partly written and partly printed, the words: "Adoption of the General Banking Law—Yes;" or "Adoption of the General Banking Law—No."

Sec. 38. The canvass of the votes cast for the adoption or rejection of this banking law, and the returns thereof, shall be made by the proper canvassing officers, in the same manner as now provided by law for the canvass and returns of the votes cast at an election for Governor, as near as may be, and the returns thereof shall be directed to the Secretary of State. On the 10th day of December, 1851, or within ten days thereafter, the Auditor General, State Treasurer and Secretary of State, shall meet at the capitol and proceed in the presence of the Governor, to examine and canvass the returns of the said votes, and proclamation shall forthwith be made by the Governor of the result thereof. If it shall appear that a majority of the votes cast upon the question have thereon "Adoption of the Gen-

eral Banking Law—Yea," this act shall become a law of the State from and after the first day of January, one thousand eight hundred and fifty-two; but if a majority of the votes cast upon the question have thereon "Adoption of the General Banking Law—No," the same shall be null and void.

Agreed to.

Mr. Smith offered the following:

In line 5, section 15, after the word "member," insert the words "being a stockholder;" and in line 6, after the word "agent," insert the words "being stockholders in such association."

Agreed to.

Mr. Smith offered the following:

Amend section 4 by adding at the end thereof the following:

*Provided however, that the officers and stockholders of any banking institution organized under the provisions of this act, shall be individually liable for those debts only which shall have been contracted during the time of their being officers or stockholders of such institution.

Adopted.

Mr. Crossman offered the following:

Insert "wilfully," after the word "shall," in the 5th line of section 11.

Lost.

Mr. Darling offered the following:

Sec. 5, strike out 10th line, and insert in lieu thereof the following:

"The stocks or securities shall always exceed by ten per cent. the amount of the circulating notes."

Adopted.

Also the following:

Add to section 21 the following:

*Provided that if the deposited securities shall at the time of the presentation of such protested notes or bills to the treasurer, be more than sufficient to pay the whole amount of notes or bills in circulation, such surplus shall be applied to the reimbursement of all costs and expenses incurred, or damages sustained under the provisions of this section."

Adopted.

Mr. Bacon offered the following amendment:

Add an additional section, as follows:

Sec. 29. No bills shall be issued under the provisions of this act, without "red backs" and fancy envelopes.

The Speaker ruled the amendment out of order.

Mr. Darling offered the following amendment:

Add to section 12, "and the capital stock of every such association shall be divided into shares of twenty-five dollars each; and each share of stock shall be entitled to one vote, and stockholders may vote by proxy."

Lost.

Mr. Darius Clark offered the following, to stand as section 29:

The Governor is hereby required to sign all bills issued to such banking associations, as president, and the State Treasurer as cashier,

Lost.

Mr. Hart offered the following:

Add to section 4: "and every bank or association shall always have in the vaults of the bank, twice the amount of specie of the issues of the bank."

Pending which,

Mr. Hyde moved that that House adjourn. Lost.

The question then recurring on the motion of Mr. Hart, the same did not prevail.

Mr. Gray moved that the House adjourn.

Lost.

Mr. Britain offered the following:

Sec. 29, line 6, strike out all after "Treasurer," and insert "as provided in the preceding section."

Adopted.

Mr. Britain then offered the following amendment:

Sec. 31, line 2, strike out "two" and insert "five."

Lost.

Mr. Britain offered the following:

Sec. 4, line 12, strike out "pro rata," and insert "of the full amount."

Agreed to.

Mr. Britain then offered the following:

Sec. 3, line 8, strike out "twenty-five" and insert "fifty."

A division was called for; and the question first taken on striking out; and the same was not agreed to.

Mr. Britain then offered the following:

To strike out "25,000," and insert "50,000."

The Speaker decided the amendment not in order.

And after some conversation, Mr. Britain offered the following:

Section 3, line 7, strike out "twenty-five," and insert "forty."

Mr. Church asked for a division of the question.

Mr. Britain made a point of order.

The Speaker decided the question divisible.

Mr. Britain appealed from the decision of the chair.

The question was then put, "shall the decision of the chair stand as the decision of the House?" and decided in the affirmative, as follows:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
D. L. Case,
Church,
Darius Clark,
Clyburn,
Corrigan,
Crane,
Earl,
J. B. Eaton,
L. Eaton,

Mr. Ferry,
Fowler,
Gray,
Gregory,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Montgomery,

Mr. H. M. Moore,
Patterson,
Root,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Turner,
Waite,
P. D. Warner,

34

NAYS

Mr. Beecher,
Britain,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Childs,
David Clark,

Mr. Corbin,
Covert,
Crosman,
Darling,
Fitch,
S. C. Hall,
Lawrence,
Martin,

Mr. Marvin,
A. H. Moore,
Sexton,
Stetson,
Town,
Wheeler,
Yocum,

23

The question then recurring on the motion to strike out, the same was not agreed to, as follows:

YEAS.

Mr. Balcombe,
 Brittain,
 Butterfield,
 David Clark,
 Corrigan,
 Covert,
 L. Eaton,
 Fowler,
 Hart,

Mr. Hicks,
 Hitchings,
 Hubbell,
 Lawrence,
 Martin,
 Marvin,
 A. H. Moore,
 Patterson,
 Root,

Mr. Sexton,
 Shearer,
 Sherwood,
 Smith,
 Stetson,
 Town,
 P. D. Warner,
 Yocum,

26

NAYS.

Mr. Bacon,
 Baldwin,
 Barnes,
 Beecher,
 Calkins,
 D. L. Case,
 S. M. Case,
 Chandler,
 Childs,
 Church,
 Darius Clark,
 Clyburn,

Mr. Corbin,
 Crane,
 Crosman,
 Darling,
 Earl,
 J. B. Eaton,
 Ferry,
 Fitch,
 Gray,
 Gregory,
 S. C. Hall,

Mr. Hyde,
 Irvine,
 Kimberly,
 Montgomery,
 H. M. Moore,
 Shook,
 Truesdell,
 Turner,
 Waite,
 Wheeler,
 Speaker,

34

Mr. Fowler moved that the bill be now read a third time.

Mr. Balcomb moved that the House adjourn.

Lost.

The question then recurring on the motion of Mr. Fowler, the same prevailed, as follows:

YEAS.

Mr. Bacon,
 Balcombe,
 Baldwin,
 Barnes,
 Calkins,
 D. L. Case,
 Chandler,
 Church,
 Darius Clark,
 David Clark,
 Clyburn,
 Corbin,
 Crane,
 Crosman,
 Earl,

Mr. J. B. Eaton,
 Ferry,
 Fowler,
 Gray,
 Gregory,
 S. C. Hall,
 Hart,
 Hicks,
 Hitchings,
 Hubbell,
 Hyde,
 Irvine,
 Kimberly,
 Lawrence,
 Minne,

Mr. Montgomery,
 A. H. Moore,
 H. M. Moore,
 Patterson,
 Root,
 Shook,
 Stetson,
 Truesdell,
 Town,
 Turner,
 Waite,
 P. D. Warner,
 Wheeler,
 Yocum,
 Speaker,

45

NAYS.

Mr. Beecher,
Britain,
Batterfield,
Covert,

Mr. Darling,
L. Eaton,
Fitch,
Martin,

Mr. Marvie,
Shearer,
Sherwood,
Smith, 12

Mr. Crosman then moved that the bill be laid on the table and ordered printed.

Agreed to.

On motion of Mr. Barnes,

The House adjourned.

Lansing, Thursday, March 18, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called, and the members all answered to their names except Messrs. Fenton, Gulley, Pierce, Voorhies and Wm. Warner, excused on account of sickness; and Messrs. Bacon, Britain, S. M. Case, Hubbell, Irvine, Kimberly, H. M. Moore and Stetson, absent without leave.

Mr. Barnes asked and obtained leave of absence, indefinitely, for Mr. Stetson, on account of illness.

The reading of the journal of yesterday was, by unanimous consent of the House, dispensed with.

The journal was then corrected and approved.

PETITIONS PRESENTED.

Mr. Britain offered the petition of James Bloodgood and 151 others of Niles, Berrien county, asking the passage of the bill to amend the charter of the village of Niles, Berrien county, now before the House.

Referred to the committee of the whole, and placed on the general order.

Mr. Hyde presented the petitions of F. W. Fifield, M. E. Master and 40 others of Wayne county, and of H. C. Knight, C. Jackson and George S. Frost and 10 others of Detroit;

Mr. Wheeler: of Hiram B. Thayer and 44 others of Plymouth

and Salem; Mr. Sherwood: of L. C. Rouse and others of Cass Co.; and

Mr. D. L. Case: of M. Sawyer and others of Portland, Ionia Co., all in reference to license laws and the traffic in ardent spirits.

Mr. Britain presented the petition of O. M. Sikes and others of Benton township, for a law authorizing the sale of sites for school houses from school sections.

Referred to the committee on public lands.

Also, of O. M. Rennal and 42 others of Niles, asking to be restored to Bertrand township.

Referred to the committee on towns and counties.

Mr. Shook presented the petition of A. Ashley, of Macomb county, asking for authority to be given the Commissioner of the Land Office to accept a certain proposition therein contained.

Referred to the committee on public lands.

Mr. Watkins: the petition of Henry Knapp, M. D., and 56 others for the repeal of chapter 36, title 8, relative to the practice of medicine; also that a professorship of Homœopathy be established in the State University;

Mr. Earl: the memorial of Isaac E. Lamborn, with a like prayer; and

Mr. Darling: the petition of John N. Gott, Phillip Rock and 72 others of Washtenaw, with a like prayer.

Severally referred to the committee on the judiciary.

REPORTS.

Mr. Lawrence, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for his approval.

An act to amend sections 3 and 4 of an act entitled an act to incorporate the National mining company; and

An act to authorize the transfer of a certain record from Berrien county to Cass county.

Mr. P. D. Warner, from the committee on elections, submitted the following report:

"The committee on elections, to whom were referred those portions of the Governor's Message which relate to the election of officers and vacancies in office, 'other than Senators, State and Congressional

Representatives," have had the same under consideration, and directed me to report:

That your committee labored under some embarrassment for a time, not being able to understand definitely what portions of the Governor's Message were intended to have been referred to them, from the extraordinary exceptions contained in the reference; but your committee could not believe that it was the intention of the House to exclude from the committee on elections the consideration of a subject so inseparably connected with their other duties, as is the election of "Senators, State and Congressional Representatives;" therefore, your committee have taken under consideration the whole subject of general and special elections, and are fully of the opinion that a revision of our entire election laws is indispensably necessary to their adaption to the provisions of the revised constitution. And your committee have further directed me, as their chairman, to report a bill to provide for holding general and special elections, and ask to be discharged from the further consideration of the subject.

P. D. WARNER, Ch'n.

The report was accepted, the committee discharged and the bill read a first and second time, referred to the committee of the whole, and placed on the general order.

Mr. D. L. Case, from the committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the Grand River Valley Railroad, approved May 4, 1846, and an act amendatory thereto, approved May 7, 1847,

Reported the same back without amendment recommended its passage, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged, and the bill referred to committee of the whole and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Darius Clark offered the following resolution:

Resolved, That on and after to-morrow the daily sessions of this House shall commence at 9 o'clock in the morning and 2 o'clock P. M.

Mr. Hyde moved to strike out "9" and insert "10."

Lost.

On motion of Mr. Wheeler,

The resolution was laid on the table.

Mr. Truesdell offered the following preamble and resolution:

Whereas, numerous petitions from almost all parts of the State have been presented to this House, praying the Legislature at its present session to pass a law that will effectually restrict the sale of intoxicating drinks;

And whereas, said petitions have all been referred to the committee on State affairs, where they have lain until now, without any action thereon;

And whereas, the session is fast drawing to a close; therefore,

Resolved, That the committee on State affairs be and they are hereby instructed to report to this House, without further delay, a bill imposing heavy penalties upon any person who shall sell any intoxicating drinks, without first executing and delivering to the county treasurer, good and sufficient bonds in the sum of five thousand dollars, conditioned to pay all damages that may in any way accrue to any person or persons, in consequence of such sale.

Mr. Montgomery moved to lay the same on the table.

Agreed to by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Britain,
Butterfield,
S. M. Case,
Chandler,
David Clark,
Corrigan,
Covert,

Mr. Ferry,
Fowler,
Gray,
S. C. Hall,
Hart,
Hicks,
Hyde,
Lawrence,
Martin,

Mr. Montgomery,
Patterson,
Root,
Shearer,
Smith,
Turner,
Waite,
Speaker,

26

NAYS.

Mr. Baldwin,
Calkins,
D. L. Case,
Childs,
Darius Clark,
Clyburn,
Corbin,
Crane,

Mr. Crosman,
Darling,
Fitch,
H. Hall,
Hitchings,
Hubbell,
Kimberly,
Marvin,

Mr. A. H. Moore,
Shook,
Truesdell,
Town,
P. D. Warner,
Wheeler,
Yocum,

28

Mr. Hart gave notice that on some future day he would move for

leave to introduce a bill to prohibit the circulation of any bank notes in this State but those of the banks of the State of Michigan.

Mr. Hart also gave notice that he would, on some future day, introduce a resolution to inquire into and ascertain whether the counsel, attorneys, agents, or any of them, of the Central rail road company, or other citizens of the State of Michigan, are interested in any lands, by contract or otherwise, at Windsor, in Canada West, or in any other locality or localities along the proposed line of the Great Western railway, between Windsor and the junction, provided the State of Michigan shall permit the said Central rail road company to subscribe some hundreds of thousands of dollars to the stock of the said Great Western railway company; and will ask for the appointment of a special committee of five, with power to send for persons and papers, and to report the facts to this house.

Mr. Hyde gave notice that on some future day he would ask leave to introduce

A bill to repeal an act entitled an act to incorporate the Copper Falls Mining Company, approved March 15, 1848, and all acts amendatory thereto.

Mr. Paterson gave notice that on some future day he would ask leave to introduce

A bill to repeal an act entitled an act for the encouragement of agriculture, manufactures and the mechanic arts, approved March 16, 1849; also

A bill to repeal an act entitled an act in aid of the Michigan State agricultural society, approved March 31, 1849.

Mr. D. L. Case offered the following resolution:

Resolved, That the several standing committees report to this House to-morrow whether, in their opinion, the business of this House would be advanced by holding two sessions each day.

On motion of Mr. Montgomery,

A bill in aid of the Michigan State Agricultural Society was taken from the table,

And the pending question thereon being the motion of Mr. Irvine of the 8th inst, to strike out all after the enacting clause, the same was withdrawn.

Mr. Montgomery then offered a substitute for the bill.

Mr. Gray moved to lay the bill and substitute on the table,
Lost.

Mr. P. D. Warner moved to lay on the table and print,
Lost.

The substitute was then adopted.

The bill was then ordered engrossed for a third reading.

By unanimous consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 12, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to vacate certain village plats in the county of Ottawa;

And to respectfully inform you that the Senate have non-concurred therein; also, to return

A bill to amend section 2 of an act entitled an act amending an act relative to plank roads, approved March 19, 1849; and

A bill to authorize the assessment of certain taxes in the township of Almont, Lapeer county;

In both which the Senate have concurred by a vote of two-thirds of all the Senators elect, with an amendment to the last named, in which the concurrence of the House is asked; also to return

A bill to provide for the assessment and collection of taxes in the township of Lansing, Ingham county;

And to respectfully inform you that the Senate have passed a substitute therefor, by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein; also to transmit

A bill to divide the State into Congressional districts;

A bill to amend section 3, chapter 130, title 24 of the revised statutes, relative to the foreclosure of mortgages by advertisement; and

A bill to amend section 1 of an act entitled an act to incorporate the Howell and Byron plank road company, approved March 25, 1850, and to extend the time for opening books for the subscription of stock to the same;

And to respectfully inform you the Senate have passed the same,

the last two named by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

I am also instructed to return,

A bill to provide for the payment of the members and officers of the Legislature;

Together with the substitute therefor, reported by the committee of conference, and to respectfully inform you that the Senate have refused to concur therein, and have indefinitely postponed the further consideration of the disagreement between the two houses upon said bill.

Very Respectfully,

O. W. MOORE,

Secretary of the Senate.

The second named bill was ordered enrolled.

The amendment to the third was concurred in, and the bill ordered enrolled.

The substitute to the fourth was concurred in, and the same ordered enrolled.

The fifth was read a first and second time and referred to the committee on State affairs.

The sixth was read a first and second time and referred to the judiciary committee.

The seventh was twice read and referred to the committee on banks and incorporations.

The bill to provide for the payment of the members and officers of the Legislature, and all matters connected therewith, were indefinitely postponed.

GENERAL ORDER.

The House then resolved itself into committee of the whole on the general order,

Mr. Montgomery in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House,

A bill supplementary to an act to incorporate the Detroit and Saline Plank Road Company, approved March 23, 1848, without amendment, and

A bill to provide for auditing and paying the expenses of the con-

stitutional convention, with sundry amendments, in which they asked the concurrence of the House and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged.

The first named bill was ordered engrossed for a third reading.

The amendments to the second named were concurred in in gross and the bill then ordered engrossed for a third reading.

The Speaker, by consent, announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 13, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill for the relief of certain purchasers of University and Primary School Lands,

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect, with an amendment, in which the concurrence of the House is respectfully asked.

Also, to transmit

A bill to provide for notice of application for alteration and amendments of the charters of corporations; which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Sec'y of Senate.

The amendmet to the first named, was concurred in and the same as amended, ordered enrolled.

The second was read a first and second time and referred to the committee on banks and incorporations.

By unanimous consent of the House,

Mr. D. L. Case introduced

A bill to amend an act entitled an act to incorporate the Oakland and Ottawa Plank Road Company, approved April 3, 1843.

Read a first and second time and referred to committee on banks and incorporations.

Mr. Hart, by unanimous consent introduced

Joint Resolutions proposing amendments to the constitution.

Read a first and second time and ordered laid on the table and printed.

On motion of Mr. Sherwood,
The House adjourned.

Lansing, Friday, March 14, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called and the members all present except those excused on account of sickness, and Mr. Hicks, absent without leave.

Mr. Patterson asked and obtained indefinite leave of absence for Mr. Hicks, on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. Marvin presented the petition of Hiram C. Driggs and 50 others, of Washtenaw county, asking the repeal of chapter 36, revised statutes, and all other laws relative to the practice of medicine, and for the establishment of a professorship of Homoeopathy in the University of Michigan.

Referred to judiciary committee.

Mr. Hyde: of Wm. A. Butler, H. D. Kitchel and 10 others, of Detroit, relative to license laws and traffic in ardent spirits.

Referred to the committee on State affairs.

Mr. H. M. Moore presented the petition of Harry Osgood and 30 others; of Geo. W. Gould and 14 others; of E. B. Bishop and 37 others; of J. B. Richardson and 26 others, and of John Porter, Joniah Russell and 36 others, all residents of Montcalm and Kent counties, asking that the township of Oakfield may be attached to the county of Montcalm.

Severally referred to the committee on the organization of towns and counties.

Mr. Church: of Lorenzo Chubb and 26 others, in the town of

Chester, in the county of Ottawa, asking that said town and towns 6, 7, 8, 9 and 10 N of R 13 W, be detached from the county of Ottawa and annexed to the county of Kent.

Referred to the committee on towns and counties.

Mr. Balcombe: of A. W. Curtis, J. W. Collins and 76 others, of Washtenaw county, asking that venders of intoxicating drinks be compelled to give bonds to secure the public against the damage arising therefrom.

Referred to the committee on State affairs.

REPORTS.

Mr. Irvine, from the committee on education, submitted the following report.

The committee on education, to whom was referred the following bills, viz:

Senate bill No. 25, for the relief of the several school districts in the township of Concord, county of Jackson; also,

A bill to authorize school district No. 4, in the township of Ypsilanti, to establish a free school in said district,

Have had the same under consideration, and instructed me to report the same back to the House without amendment, recommend their passage, and ask to be discharged from the further consideration thereof.

J. D. IRVINE, Ch'n.

The report was accepted, the committee discharged, and the bills referred to the committee of the whole and placed on the general order.

Mr. Church, from the committee on the judiciary, to whom was referred

A bill to amend section 3, chapter 130, title 24 of the revised statutes, relative to the foreclosure of mortgages by advertisement,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged and the bill referred to the committee of the whole and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. S. C. Hall,

The following joint resolutions offered by him on the 8th inst., were taken from the table:

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Auditor General shall cause the statement of the lands to be sold for taxes in the county of Barry in October, in the year 1851, to be published in the Barry County Pioneer; which statement shall be published in the same manner, for the same time, and to the same effect as like statements required by law to be published in other cases.

Resolved, That this resolution shall take effect and be in force from and after its passage.

The resolutions were then read a third time and passed, by the following vote:

YEAS.		
Mr. Bacon,	Mr. Earl,	Mr. H. M. Moore,
Barnes,	J. B. Eaton,	Patterson,
Britain,	L. Eaton,	Root,
Calkins,	Ferry,	Sexton,
S. M. Case,	Fitch,	Shearer,
Chandler,	Fowler,	Sherwood,
Childs,	Gregory,	Shook,
Church,	H. Hall,	Smith,
Darius Clark,	S. C. Hall,	Truesdell,
David Clark,	Hart,	Town,
Clyburn,	Hitchings,	Turner,
Corbin,	Hubbell,	Waite,
Corrigan,	Hyde,	P. D. Warner,
Covert,	Kimberly,	W. Warner,
Crane,	Lawrence,	Watkins,
Crosman,	Martin,	Wheeler,
Darling,	A. H. Moore,	Speaker, 51
	NAYS.	0

The House then directed by a vote of two-thirds of all the members elected thereto, that said joint resolutions shall take effect immediately.

By unanimous consent, the title of said joint resolutions was amended so as to read:

An act authorizing the Auditor General to publish certain tax sales in the Barry County Pioneer.

Mr. Hyde gave notice that at some future day he would ask leave to introduce

A bill to legalize certain collector's tax returns in the county of Wayne.

Mr. Fowler gave notice that he would move for leave, on some subsequent day, to introduce

A bill to provide for a general system of banking, upon a security of real estate and State land warrants, requiring the circulating notes to be countersigned by the commissioner of the State land office, and to be stamped on their face, "Michigan Safety Fund."

Mr. Crosman offered the following resolution:

Resolved, That the committee on State affairs be requested to report at as early a day as practicable, by bill or otherwise, upon the petitions that have been referred to them on the subject of the liquor traffic.

Mr. Kimberly moved to lay on the table.

Lost, as follows:

YEAS.

Mr. Bacon,
Barnes,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Corrigan,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gregory,
Hart,
Hyde,
Irvine,
Kimberly,
Lawrence,

Mr. Martin,
Montgomery,
Patterson,
Root,
Sexton,
Shearer,
Turner,
Waite,
Speaker,

29

NAYS.

Mr. Balcombe,
Baldwin,
Beecher,
Calkins,
Childs,
Darius Clark,
Clyburn,
Corbin,
Crane,
Covert,

Mr. Crosman,
Darling,
Gray,
H. Hall,
Hubbell,
Marvin,
Minne,
A. H. Moore,
H. M. Moore,
Sherwood,

Mr. Shook,
Smith,
Truesdell,
Town,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

29

Mr. D. L. Case moved to postpone the further consideration of the subject until Monday next.

Agreed to.

Mr. Britain offered the following resolution:

Resolved, That the afternoon session of this House be devoted to the general order.

Adopted.

Mr. Britain gave notice that he would on a future day ask leave to introduce the following bills:

· A bill to provide for the vacation of village plats;

A bill to provide for the improvement and re-appraisal of the State lands in section sixteen in the township of Lansing;

A bill to amend chapter 20 of revised statutes of 1846;

· A bill to amend chapter 12 of revised statutes of 1846.

Mr. Britain offered the following resolution:

Resolved, That the following be added to the rules of this House:

“A motion to strike out and insert, shall be deemed indivisible. A motion to strike out being lost, shall neither preclude amendment nor a motion to strike out and insert.” (See Rule 14.)

“Blanks may be filled on a third reading in engrossed bills, or in the other House.” (See Rule 26.)

“Special orders and general orders shall belong to the committee of the whole, until the committee be discharged therefrom.” (See Rule 41.)

“On a motion to commit or recommit with instructions, the instructions shall be subject both to amendment and division before the question on commitment be taken.”

On motion of Mr. Britain,

Ordered laid on the table and printed on the journal.

Mr. Yocum offered the following resolution:

Resolved, That the members of this house shall not be held accountable for books drawn from the State library and left by them on their tables, inasmuch as they are unable, with all proper diligence, to find the same where they were left by them when the House adjourned.

Mr. D. L. Case moved to lay on the table.

Lost.

Mr. D. L. Case moved that the House adjourn.

Lost.

Mr. Hubbell moved that the resolution be indefinitely postponed.

Agreed to.

Mr. Church gave notice of his intention to move for leave to introduce

A bill supplementary to an act entitled an act relative to plank

roads, approved March 13, 1848, to provide for the sale of unsubscribed shares of capital stock.

Also, of his intention to move leave to introduce

A bill supplementary to the aforesaid act, to provide for the appraisal of damages in the use of highways for plank roads.

On motion of Mr. Hart,

A bill to apportion anew the Representatives among the several counties and districts of this State,

Was taken from the table.

And the same being under consideration,

Mr. Hart moved to commit the bill to the committee on State affairs, with instructions to adapt the same to a ratio of one Representative for every four thousand five hundred white persons and civilized persons of Indian descent, not members of any tribe, in each organized county, and one Representative for a fraction equal to a moiety of said ratio; and further so to amend said bill as to connect the county of Gratiot with the county of Clinton for Representative purposes, and the counties of Manistee, Leelanaw and Omeena with the county of Newaygo, for the same purposes.

Mr. Irvine moved to strike out "Leelanaw and Omeena," in the instructions.

Agreed to.

On motion of Mr. Kimberly,

The whole subject was laid on the table.

THIRD READING OF BILLS.

The following bills were read a third time and passed, viz:

A bill in aid of the Michigan State Agricultural Society, by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,

Mr. Earl,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hyde,

Mr. Montgomery,
H. M. Moore,
Root,
Shearer,
Sherwood,
Shook,
Truesdell,
Town,
Waite,
P. D. Warner,

Corbin,
Corrigan,
Crosman,

Irvine,
Lawrence,
A. H. Moore,

W. Warner,
Watkins,
Yocum, 39

NAYS.

Mr. Britain,
Crane,
J. B. Eaton,
Gray,

Mr. Hubbell,
Kimberly,
Patterson,

Mr. Sexton,
Wheeler,
Speaker, 10

A bill to provide for auditing and paying the expenses of the constitutional convention,

Was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Crane,
J. B. Eaton,
Ferry,
Fitch,
Fowler,
S. C. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,

Mr. Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Sexton,
Shearer,
Sherwood,
Shook,
Town,
Waite,
P. D. Warner,
W. Warner,
Watkins, 39

NAYS.

Mr. Baldwin,
Barnes,
Beecher,
Childs,
Darius Clark,

Mr. Crosman,
Earl,
Gregory,
Patterson,
Truesdell,

Mr. Turner,
Wheeler,
Yocum,
Speaker, 14

The House then, by a vote of two-thirds of all the members elected thereto, directed that said act shall take effect immediately.

A bill supplementary to an act to incorporate the Detroit and Saline plank road company, approved March 23, 1848, was then read a third time and passed as follows:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
D. L. Case,
Chandler,
Childs,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
H. Hall,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Sherwood,

Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Earl,
J. B. Eaton,

S. C. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Montgomery,

Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
P. D. Warner,
W. Warner,
Yocum,
Speaker,

52

NAYS.

Mr. Britain,

1

The House then resolved itself into committee of the whole on the general order,

Mr. Gregory in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back to the House

Resolution instructing the committee on State affairs relative to the apportionment bill, with an amendment in which they asked the concurrence of the House and to be discharged from its further consideration.

The report was accepted and the committee discharged.

On motion of Mr. Britain,

The House then took a recess until half past 2 o'clock P. M.

Afternoon Session.

Half-past two o'clock.

The roll was called, and the members all present except those excused on account of sickness, and Mr. Hubbell, absent without leave

Mr. P. D. Warner asked and obtained leave of absence for Mr. Hubbell for an indefinite time, on account of sickness.

The House then resolved itself into committee of the whole on the general order,

Mr. Church in the chair.

And after some time spent thereon, the committee rose, and by their chairman, reported back to the House, that they had had under consideration, the following entitled bills:

1. A bill to amend an act entitled an act to incorporate the Pioneer

Smelting Company of the Upper Peninsula of Michigan, approved March 18, 1847;

2. A bill to amend an act entitled an act to incorporate the Phenix Copper Company, approved March 31, 1849;

3. A bill to amend section 3 of an act entitled an act to incorporate the Albion mining company, approved March 27, 1848;

4. A bill to amend an act entitled an act to incorporate the New York and Michigan Mining Company of Detroit, approved March 30, 1848;

5. A bill to amend the charter of the village of Niles;

6. A bill to amend section 6 of chapter 84 of title 20 of the revised statutes, relative to divorce;

7. A bill to amend chapter 79 of the R. S. of 1846;

8. A bill to establish a circuit court in the county of Montcalm;

9. A bill to regulate proceedings by attachment against foreign corporations in certain cases;

10. A bill to amend an act to provide for the appraisal of certain lands in Berrien county, approved April 2, 1850;

11. A bill to amend sec. 2 of an act entitled an act to incorporate the Michigan Mining Company, approved March 30, 1848;

12. A bill to amend an act entitled an act to amend an act to incorporate the Indiana and Adrian plank road company, approved April 3, 1850; and

13. A bill to authorize the formation of telegraph companies.

The nine first named without amendment, and the four last named with sundry amendments, in which they asked the concurrence of the House and to be discharged from further consideration of said bills.

The report was accepted and the committee discharged.

When, on motion of Mr. Hart,

The House adjourned.

Lansing, Saturday, March 15, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

The roll was called, and the members all answered to their names except those excused on account of sickness, and Mr. Truesdell, absent without leave.

Mr. Crane asked and obtained leave of absence indefinitely for Mr. Truesdell, on account of sickness.

The reading of the journal of yesterday was, by unanimous consent of the House, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Gulley presented the petition of citizens of Livonia, Wayne county, asking an amendment of the general plank road law.

Referred to committee on banks and incorporations.

Mr. J. B. Eaton: of Lonson Wilcox and 129 others of the village of Jackson;

Mr. Beecher: of Lewis Buckingham and 98 others, of Genesee county;

Also, of John Moore and 30 citizens, of same county;

Mr. Voorhees: of S. Andrews and 33 others; and

Mr. Pierce: of Reuben Gidley and 9 others,

All praying for Legislative action on the subject of the license laws and traffic in ardent spirits.

Severally referred to the committee on State affairs.

REPORTS.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act for the relief of certain purchasers of university and primary school land;

An act to provide for the assessment and collection of taxes in the township of Lansing, Ingham county;

An act to amend an act entitled an act amending an act relative to plank roads, approved March 19, 1849, and

An act to authorize the assessment of certain taxes in the township of Almont, Lapeer county.

Mr. D. L. Case submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846,

Have had the same under consideration and have instructed me

to report the same back to the House without amendment, and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

Also the following:

The committee on banks and incorporations, to whom was referred

The bill to amend an act entitled an act to authorize the sale of the Central Railroad and to incorporate the Michigan Central Railroad Company, approved March 28, 1846,

Have had the same under consideration, and have instructed me to report the same back to the House without amendment and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. I. B. Eaton gave notice that he would, on Monday next, submit a report from the minority of the committee on banks and incorporations, on the same subject.

Mr. Hart, from the minority of the committee on banks and incorporations, submitted a report accompanied by a bill to amend an act entitled an act to authorize the sale of the Central rail road and to incorporate the Michigan Central rail road company, approved March 28, 1846.

The report and bill were ordered laid on the table and printed, and the committee discharged from the further consideration of the subject.

Mr. Irvine, from the committee on education, reported a bill to provide for supplying school districts with a certain book.

Read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred the petition

of A. Ashley, of Macomb county, asking the acceptance of a proposition therein contained, have had the same under consideration, and report by resolution, recommend its passage and ask to be discharged from its further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, and the joint resolution authorizing the Commissioner of the State Land Office to sell certain Normal scholl lands in the county of Macomb to A. Ashley, read a first and second time, referred to the committee of the whole and placed on the general order.

MESSAGES.

The Speaker announced the following Message from the Executive:

EXECUTIVE OFFICE,
Lansing, March 14, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act to authorize the assessment of certain taxes in the township of Almont, county of Lapeer;

An act for the relief of certain purchasers of university and primary school lands;

An act to provide for the assessment and collection of taxes in the township of Lansing, Ingham county;

An act to amend section 2 of an act entitled an act amending an act relative to plank roads, approved, March 19, 1849.

JNO. S. BARRY.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Shearer offered the following resolution:

Resolved, That the use of the Hall of the House of Representatives be granted to the Rev. Seymour A. Baker for an address on education on Sunday evening next, at 7 o'clock P. M.

Adopted.

Mr. Hart, pursuant to previous notice, on leave, introduced

A bill supplemental to an act incorporating and the acts amending the Detroit, Romeo and Port Huron Railroad Company.

to report the same back to the House without amendment, and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

Also the following:

The committee on banks and incorporations, to whom was referred

The bill to amend an act entitled an act to authorize the sale of the Central Railroad and to incorporate the Michigan Central Railroad Company, approved March 28, 1846,

Have had the same under consideration, and have instructed me to report the same back to the House without amendment and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, the bill referred to the committee of the whole and placed on the general order.

Mr. J. B. Eaton gave notice that he would, on Monday next, submit a report from the minority of the committee on banks and incorporations, on the same subject.

Mr. Hart, from the minority of the committee on banks and incorporations, submitted a report accompanied by a bill to amend an act entitled an act to authorize the sale of the Central rail road and to incorporate the Michigan Central rail road company, approved March 28, 1846.

The report and bill were ordered laid on the table and printed, and the committee discharged from the further consideration of the subject.

Mr. Irvine, from the committee on education, reported a bill to provide for supplying school districts with a certain book.

Read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred the petition

of A. Ashley, of Macomb county, asking the acceptance of a proposition therein contained, have had the same under consideration, and report by resolution, recommend its passage and ask to be discharged from its further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, and the joint resolution authorizing the Commissioner of the State Land Office to sell certain Normal scholl lands in the county of Macomb to A. Ashley, read a first and second time, referred to the committee of the whole and placed on the general order.

MESSAGES.

The Speaker announced the following Message from the Executive:

EXECUTIVE OFFICE,
Lansing, March 14, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act to authorize the assessment of certain taxes in the township of Almont, county of Lapeer;

An act for the relief of certain purchasers of university and primary school lands;

An act to provide for the assessment and collection of taxes in the township of Lansing, Ingham county;

An act to amend section 2 of an act entitled an act amending an act relative to plank roads, approved, March 19, 1849.

JNO. S. BARRY.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Shearer offered the following resolution:

Resolved, That the use of the Hall of the House of Representatives be granted to the Rev. Seymour A. Baker for an address on education on Sunday evening next, at 7 o'clock P. M.

Adopted.

Mr. Hart, pursuant to previous notice, on leave, introduced

A bill supplemental to an act incorporating and the acts amending the Detroit, Romeo and Port Huron Railroad Company.

Read a first and second time, and referred to the committee on banks and incorporations.

Mr. Irvine gave notice that on some future day he would ask leave to introduce a joint resolution in relation to the Ottawa and Chippewa Indians.

Mr. Ferry offered the following resolution:

Resolved, That the committee on ways and means be instructed to inquire into the propriety and practicability of a law authorizing the assessment and collection of taxes in the unorganized counties attached to the county of Ottawa for judicial purposes, for the purpose of providing means for defraying expenses arising out of and consequent upon the said relation of the counties aforesaid.

Adopted.

On motion of Mr. Hyde,

The committee of the whole were discharged from further consideration of the bill supplementary to acts incorporating the city of Detroit.

The bill was then ordered engrossed for a third reading.

Pursuant to previous notice,

Mr. Britain asked and obtained leave to introduce a bill to amend chapter 12 of revised statutes of Michigan.

Read twice and referred to the judiciary committee.

Mr. David Clark, by unanimous consent, introduced

A bill directing the publication of a statement of lands to be sold in Clinton county in 1851.

Read twice and referred to judiciary committee.

Mr. Britain, by unanimous consent, introduced

A bill relative to the publication of statements of lands to be sold for taxes in Cass and Ottawa counties in 1851.

Read a first and second time and referred to the committee on judiciary.

Mr. Church, by consent, introduced

A bill supplementary to an act entitled an act relative to plank roads, approved March 13, 1848, to provide for the sale of unsubscribed for shares of capital stock.

Read a first and second time, and referred to the committee on banks and incorporations.

Mr. Church also, by like consent, introduced

A bill supplementary to an act antitled an act relative to plank roads, approved March 13, 1848, to provide for the appraisal of damages in the use of highways for plank roads.

Read a first and second time and referred to committee on banks and incorporations.

Mr. Church moved that the journal of yesterday's proceedings be amended by adding to the affirmative votes on the final passage of a bill in aid of the Michigan State Agricultural Society, the name of Mr. Montgomery, who voted aye.

Agreed to.

UNFINISHED BUSINESS.

The House then took up, under the order of unfinished business, Resolution instructing the committee on State affairs relative to the apportionment bill.

The question on which being on concurring in the amendment of the committee of the whole, which was to fill the blank therein with "5,000," the same was non-concurred in by the following vote:

YEAS.

Mr. Balcombe,
Barnes,
Calkins,
D. L. Case,
Chandler,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,

Mr. Crosman,
Earl,
Ferry,
Fowler,
Marvin,
Minne,
A. H. Moore,
H. M. Moore,
Pierce,
Sexton,

Mr. Sherwood,
Shook,
Smith,
Town,
Turner,
W. Warner,
Wheeler,
Yocum,
Speaker,

29

NAYS.

Mr. Baldwin,
Britain,
Butterfield,
S. M. Case,
Childs,
Church,
Covert,
Crane,
Darling,
J. B. Eaton,

Mr. Fitch,
Gray,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,

Mr. Lawrence,
Martin,
Montgomery,
Patterson,
Root,
Shearer,
Voorhies,
Waite,
P. D. Warner,
Watkins,

30

The question then being on filling the blank,

Mr. Sherwood moved to fill it with "6,000."

Mr. Marvin moved to fill it with "4,750."

Mr. Ferry moved to fill with "7,000."

Mr. Gregory moved to fill with "7,500."

Mr. Britain moved to fill with "4,500."

Mr. Darling moved to fill with "5,500."

Mr. Crosman moved to fill with "5,001."

Mr. Sexton moved to fill with "4,900."

Mr. Kimberly moved to fill with "5,200."

The question was then taken on "7,500."

And the same was not agreed to.

The question was then taken on "7,000."

Lost by the following vote.

YEAS.

Mr. Barnes,
Beecher,
Calkins,
Church,
David Clark,
Clyburn,
Darling,
Earl,

Mr. Ferry,
Fitch,
S. C. Hall,
Hart,
Irvine,
Kimberly,
Lawrence,

Mr. Minne,
A. H. Moore,
H. M. Moore,
Pierce,
Sherwood,
Town,
Turner,

22

NAYS.

Mr. Bacon,
Balcombe,
Baldwin,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Childs,
Darius Clark,
Corbin,
Corrigan,
Covert,

Mr. Crosman,
J. B. Eaton,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
Hyde,
Martin,
Marvin,
Montgomery,
Patterson,

Mr. Root,
Sexton,
Shearer,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

25

The question was then taken on "6,000."

And the same was not agreed to.

The question was then taken on "5,500."

Lost by the following vote:

YEAS

Mr. Baldwin,
Barnes,

Mr. Darling,
Fitch,

Mr. Sexton,
Sherwood,

Childs,
David Clark,
Clyburn,
Corbin,
Corrigan,

Gray,
Kimberly,
Montgomery,
H. M. Moore,
Pierce,

Shook,
Smith,
Turner,
Speaker,

20

NAYS.

Mr. Bacon,
Balcombe,
Beecher,
Britain.
Butterfield,
D. L. Case,
S. M. Case,
Church,
Darius Clark,
Covert,
Crosman,
Earl,
J. B. Eaton,

Mr. Ferry,
Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,
Minne,

Mr. A. H. Moore,
Patterson,
Root,
Shearer,
Town,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

38

The question was then taken on "5,200."

And the same not agreed to.

The question was then taken on "5,001."

And the same not agreed to.

The question was then taken on "4,900."

And the same not agreed to by the following vote:

YEAS.

Mr. Barnes,
Calkins,
Chandler,
Darius Clark,
David Clark,
Clyburn,
Corbin,

Mr. Corrigan,
Crosman,
Earl,
Fowler,
Minne,
A. H. Moore,
H. M. Moore,

Mr. Pierce,
Sexton,
Shook,
Smith,
Turner,
Speaker,

20

NAYS.

Mr. Bacon,
Balcombe,
Baldwin,
Beecher,
Britain,
Butterfield,
Childs,
Church,
Covert,
Crane,
Darling,
J. B. Eaton,
Ferry,

Mr. Fitch,
Gray,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,

Mr. Montgomery,
Patterson,
Root,
Shearer,
Town,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

38

The question was then taken on "4,750."

And not agreed to as follows:

YEAS.

Mr. Bacon,
Beecher,
Calkins,

Mr. S. M. Case,
Crane,
Marvin,

Mr. Minne,
Sexton,

8

NAYS.

Mr. Balcombe,
Britain,
Butterfield,
D. L. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Corrigan,
Covert,
Earl,
J. B. Eaton,
Ferry,
Fitch,

Mr. Gray,
Gregory,
Gulley,
S. C. Hall,
Hitchings,
Hyde,
Irvine,
Lawrence,
Martin,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Pierce,

Mr. Root,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Speaker,

41

Mr. Thurber then moved to commit the resolution to the committee on State affairs, with instructions to fix the ratio at 5,000, and to give to the counties of Kent, Lapeer, Genesee, Eaton, Branch and Berrien each one additional member.

Mr. Montgomery moved to lay the resolution on the table.

After some conversation he withdrew the motion.

The motion was renewed by Mr. D. L. Case.

It prevailed as follows:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Britain,
Butterfield,
Calkins,
D. L. Case,
Church,
Darius Clark,
Clyburn,
Corbin,
Covert,
Darling,

Mr. Earl,
J. B. Eaton,
Fitch,
Gray,
Gregory,
Gulley,
Hart,
Hitchings,
Hyde,
Kimberly,
Lawrence,
Martin,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith, }
Town,
Voorhies,
P. D. Warner, 89

NAYS.

Mr. Barnes, Beecher, S. M. Case, Chandler, Childs, David Clark, Corrigan,	Mr. Crane, Ferry, Fowler, S. C. Hall, Irvine, Marvin, Minne,	Mr. Turner, W. Warner, Watkins, Wheeler, Yocum, Speaker,
		20

Mr. Church moved a reconsideration of the last vote.

Which motion prevailed.

Mr. Thurber then withdrew his motion to recommit.

The question was then taken on the motion to fill the blank with "4,500."

And the same was agreed to by the following vote:

YEAS.

Mr. Bacon, Balcomb, Baldwin, Beecher, Britain, Butterfield, S. M. Case, Childs, Church, Covert, Crane, J. B. Eaton,	Mr. L. Eaton, Ferry, Fitch, Gray, Gregory, Gulley, S. C. Hall, Hart, Hitchings, Hyde, Irvine, Lawrence,	Mr. Martin, Montgomery, A. H. Moore, Patterson, Root, Shearer, Town, Voorhies, Waite, P. D. Warner, Watkins,
		35

NAYS.

Mr. Barnes, D. L. Case, Chandler, Darius Clark, David Clark, Clyburn, Corbin, Corrigan, Crosman,	Mr. Darling, Earl, Fowler, Kimberly, Marvin, Minne, H. M. Moore, Pierce, Sexton,	Mr. Sherwood, Shook, Smith, Turner, W. Warner, Wheeler, Yocum, Speaker,
		26

Mr. Church moved that the committee be further instructed to attach the county of Gratiot to the county of Clinton; and the counties of Manistee, Leelanaw and Omeena, to the county of Newaygo for representative purposes.

Mr. Irvine moved to strike out "Omeena and Leelanaw."

After considerable discussion by Messrs. Irvine, Church, Britain, Hart, Terry and Fitch,

The question was taken on the motion of Mr. Irvine, and the same did not prevail, as follows:

YEAS.

Mr. Chandler,
Clyburn,
Corrigan,
Earl,
J. B. Eaton,
L. Eaton,
Fitch,

Mr. S. C. Hall,
Hyde,
Irvine,
Kimberly,
Martin,
Marvin,

Mr. Minne,
Root,
Sexton,
Shook,
Yocum,
Speaker,

19

NAYS.

Mr. Baldwin,
Beecher,
Britain,
Butterfield,
Childs,
Church,
David Clark,
Clyburn,
Crane,

Mr. Crosman,
Ferry,
Fowler,
Hitchings,
Lawrence,
Montgomery,
A. H. Moore,
H. M. Moore,
Pierce,

Mr. Shearer,
Sherwood,
Smith,
Turner,
Town,
Voorhies,
P. D. Warner,
Watkins,

26

The question was then taken on the motion of Mr. Church,
And the same was agreed to.

The resolution as amended was then adopted.

By consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 15, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit herewith,

A bill to amend an act to incorporate the Detroit and Erin Plank Road Company, approved April 3, 1848;

And to respectfully inform you that the Senate have non-concurred in the House amendment thereto.

Very Respectfully,

Q. W. MOORE,

Secretary Senate

The House receded from their amendment to said bill.

On motion of Mr. A. H. Moore,

The House adjourned.

Lansing, Monday, March 17, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Baughman.

The roll was called, and the members were all present except those excused on account of sickness and Messrs. S. C. Hall and Town, absent without leave.

Mr. S. M. Case asked and obtained leave of absence for Mr. S. C. Hall, and Mr. Earl for Mr. Town, both on account of sickness.

The reading of the journal of Saturday was, by unanimous consent, dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. Montgomery presented the petition of Alonzo Cressey and 121 others, of Hillsdale county;

Mr. A. H. Moore: of O. E. Thompson, S. M. Taylor and 26 others, of St. Joseph county;

Mr. Baldwin: of J. W. Taylor, Charles Horne and 19 others, of Lenawee county;

Mr. Watkins: of A. F. Bolton;

Mr. Pierce: of R. Sapp, C. T. Hinman and 70 others, of Calhoun county; and

Mr. Hart: of Elizabeth Eastman and 46 other ladies; of Mary E. Lathrop and 22 other ladies; of Mrs. E. T. Hinman and 18 other ladies; of Lewis E. Osborn and 44 other citizens; of William H. Clark and 39 other citizens; of Saml. Marvin and 29 other citizens; of Benjamin W. Ball and 14 other citizens; of John Shafer and 12 other citizens; of H. S. Parmenter and 12 other citizens; and of J. W. White and 6 other citizens, all of Lapeer county;

And all asking legislative action in regard to the license laws and traffic in ardent spirits.

Severally referred to the committee on State affairs.

Mr. Crane presented the memorial of committee of directors of the Erie and Kalamazoo railroad.

Ordered laid on the table and printed.

REPORTS.

Mr. J. B. Eaton submitted a minority report from the committee on banks and incorporations.

The report was laid on the table and ordered printed.

Mr. Church, from the judiciary committee, reported

A bill to amend an act entitled an act to amend an act to incorporate the city of Monroe, and certain acts amendatory thereto, approved March 30, 1849.

The report was accepted, the committee discharged, the bill read a first and second time, when,

On motion, a suspension of the rules was ordered, and the bill ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Smith,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

58

NAYS.

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The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

Mr. Hyde, from the committee on State affairs, to which was re-committed a bill to apportion anew the Representatives among the several counties and districts of this State, with instructions to make certain amendments thereto, reported the same back amended as instructed, and asked to be discharged from its further consideration.

Pending the question on the acceptance of the report,

Mr. Irvine raised the following point of order:

"Is it in accordance with parliamentary usages to instruct a committee in relation to a bill which lays on the table?"

The Speaker decided the matter in order.

The report was then accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. D. L. Case, from the committee on banks and incorporations, to which were referred the following entitled bills:

A bill to amend an act entitled an act to incorporate the Cottonwood Swamp turnpike company, approved March 9, 1844,

A bill to amend section 1 of an act to incorporate the Howell and Byron plank company, approved March 25, 1850, and to extend the time for opening books for the subscription of stock to the same;

A bill to amend an act to incorporate the Mount Clemens and Romeo plank road company; and

A bill to amend the second and fourth sections of an act to incorporate the Erin and Mt. Clemens plank road company, approved March 20, 1850; and

A bill supplemental to an act incorporating, and the acts amending the Detroit and Romeo plank road company, recommended their passage and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, the bills severally referred to committee of the whole, and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Darling offered the following resolution:

Resolved, That House bills Nos. 13 and 14 be made the special order of the day for Thursday next, at half-past 2 P. M., unless sooner reached on the general order.

Adopted.

Mr. Shearer offered the following resolution:

Resolved, That a committee of two be appointed to wait on Professor S. A. Baker, and respectfully request a copy of his able lecture on education delivered in this hall last evening, for the purpose of printing the same.

Adopted.

Mr. Gray offered the following resolution:

Resolved, That the use of this Hall be given to the Rev. John Baughman, on Tuesday evening, the 18th inst., for the purpose of delivering an address on the subject of temperance.

Adopted.

On motion of Mr. J. B. Eaton,

A bill to provide for taxing foreign corporations,

Was taken from the table.

And the pending question thereon being the motion of Mr. Hubbell, of the 8th inst., to recommit to the committee on banks and incorporations with instructions to fill the blank with "five."

Pending which,

Mr. Ferry moved to fill the blank with "2½."

Mr. Hart moved to fill with "1."

Mr. Shook moved to fill with "3."

Mr. Darius Clark moved to fill with "½."

Pending which,

Mr. Kimberly moved the indefinite postponement of the whole subject.

Lost as follows:

YEAS.

Mr. Balcombe,
Beecher,
S. M. Case,
Church,
Darius Clark,
David Clark,
Clyburn,

Mr. Fowler,
Gulley,
Hart,
Hyde,
Irvine,
Kimberly,
Montgomery,

Mr. Fierce,
Root,
Turner,
Waite,
P. D. Warner,
Speaker,

20

NAYS.

Mr. Bacon,
Baldwin,
Barnes,
Britain,
Butterfield,
Calkins,
Chandler,
Childs,
Corbin,
Corrigan,
Covert,
Crane,
Crosmen,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
Hitchings,
Lawrence,
Martin,
Marvin,
Minne,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Sexton,
Shearer,
Shook,
Smith,
Truesdell,
Voorhies,
W. Warner,
Wheeler,
Yocum,

38

The question then recurring on filling the instructions with "five," the same was agreed to.

Mr. P. D. Warner then offered the following amendment:

Amend the instructions by including the "Jackson Mutual Insurance Company."

Lost.

Mr. Irvine moved to amend by striking out in section 1, 3d line, after the word "on," "that on the whole amount actually received or charged by any and all such officers or agents," and insert: "the profits of said company within the State of Michigan."

Mr. P. D. Warner moved to lay the whole subject on the table.

Lost as follows:

YEAS.

Mr. Balcombe,	Mr. Gulley,	Mr. Pierce,
Beecher,	Hart,	Root,
S. M. Case,	Hyde,	Sherwood,
Church,	Irvine,	Turner,
Darius Clark,	Kimberly,	Waite,
Clyburn,	Lawrence,	P. D. Warner,
Crane,	Montgomery,	Speaker,
Fowler,		

22

NAYS.

Mr. Baldwin,	Mr. J. B. Eaton,	Mr. Patterson,
Barnes,	L. Eaton,	Sexton,
Britain,	Ferry,	Shearer,
Butterfield.	Fitch,	Shook,
Calkins,	Gray,	Smith,
Chandler,	Gregory,	Truesdell,
Childs,	Hitchings,	Voorhies,
Corbin,	Martin,	W. Warner,
Corrigan,	Marvin,	Watkins,
Covert,	Minne,	Wheeler,
Crosman,	A. H. Moore,	Yocum,
Earl,	H. M. Moore,	

35

The question was then taken on the motion of Mr. Irvine, and the same did not prevail.

Mr. Irvine then moved to amend by inserting in line 4, after the word "agents," the following: "and on the whole amount of money brought into this State for the purpose of buying wheat."

Lost.

Mr. Hart offered the following as a further amendment to the instructions:

"That every person of this State who shall insure property in any foreign insurance company, shall pay annually into the treasury of this State five per cent. on the amount of premium paid, and in case of default of such payment, shall forfeit all rights under the policy."

Mr. Kimberly offered the following amendment to the amendment of Mr. Hart:

"And all capital brought into the State for the purpose of being loaned for the purchase of wheat, wool, flour, or any other property."

Which was accepted by Mr. Hart.

And the question was taken on his amendment thus modified, and the same was not agreed to.

Mr. P. D. Warner offered the following amendment:

Amend instructions by providing that all merchants who buy goods in New York shall pay a tax of five per cent on the amount purchased, into the State treasury.

Lost.

Mr. Chandler moved the previous question.

Which was demanded.

And the question being, "shall the main question be now put?" it was decided in the affirmative.

The main question being on the motion of Mr. Hubbell to commit to the committee on banks and incorporations, with instructions to fill the blank with "five," the same was agreed to.

Mr. Hart offered the following resolution:

Resolved, That a select committee of nine be appointed to propose amendments to the constitution.

Lost.

Mr. Turner, pursuant to previous notice, introduced a bill to authorize the incorporation of Bridge companies.

Read a first and second time, and referred to committee on banks and incorporations.

Mr. Hart gave notice that he would on some future day ask for the use of this hall for Josiah Snow, for the purpose of delivering a lecture on the subject of temperance, and recommending a legislative temperance society.

Mr. Crosman moved that the following resolution, offered by himself on the 14th inst., be taken from the table. viz:

Resolved, That the committee on State affairs be requested to report at as early a day as practicable, by bill or otherwise, upon the petitions that have been referred to them on the subject of the liquor traffic.

But the motion did not prevail.

Mr. Church moved to discharge the committee of the whole from further consideration of the bill to amend section 58 of an act to incorporate the city of Grand Rapids, approved April 2, 1850. And after some remarks,

On motion of Mr. Church,

The motion was laid on the table.

Mr. P. D. Warner offered the following resolution:

Resolved, That on and after this day, the House will hold one session each day, to commence at 10 o'clock A. M. and 2½ o'clock P. M.

Mr. Pierce moved to strike out "10" and insert "9."

Mr. Britain moved to lay the whole subject on the table.

Agreed to.

THIRD READING OF BILLS.

The House having arrived at the order of third reading of bills, A bill supplementary to acts incorporating the city of Detroit, was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Butterfield,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Covert,
Crane,
Darling,

Mr. Earl,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
Hyde,
Irvine,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Pierce,

Mr. Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

67

NAYS.

0

UNFINISHED BUSINESS.

Under the order of unfinished business, the House took up

A bill to authorize the formation of telegraph companies.

The question on which being on concurring in the amendments of the committee of the whole, the first of said amendments, as follows:

Section 17, line 5, after "created," insert "organized, or at any time doing business." Also strike out "or," where it first occurs in said line,

Was concurred in.

The second, as follows, to stand as a separate section:

"That said companies shall exercise no banking privileges in the counties of Berrien or of Wayne, or in the county of Oakland; but may establish one in Ionia;"

Was non-concurred in.

Mr. Fowler then offered the following amendment to section 1:

Amend section 1 by adding the following:

Provided all lines of telegraph now commenced be completed within six months from the passage of this act.

Lost.

The bill was then ordered engrossed for a third reading:

A bill to amend an act entitled an act to amend an act to incorporate the Indiana and Adrian plank road company, approved April 3, 1850,

Was taken up, and the question being on concurring in the amendments reported back by committee of the whole, the first amendment, as follows: strike out "three," where it occurs, and insert "five," was concurred in.

The second amendment as follows:

Add a new section as follows:

Sec. 2. Said company shall be subject to all general laws now in force relative to plank road companies,

Was non-concurred in.

The bill was then ordered engrossed for a third reading.

A bill to amend section 3 of an act entitled an act to incorporate the Michigan Mining Company, approved March 30, 1848; was taken up.

The question being on concurring in the amendment of the committee of the whole, which was as follows:

"Sec. —. The real estate which said company may purchase and

hold shall only be such as shall be necessary for the exercise of its corporate franchises,"

Mr. Britain offered the following substitute therefor:

"Said company shall at all times be subject to all general laws in force relative to mining companies, and shall only hold, either by purchase or otherwise, such real estate as shall be necessary for the exercise of its corporate franchises."

And after considerable debate,

Mr. D. L. Case moved that the House adjourn.

Lost.

Mr. Crossman moved that the House adjourn until half-past two o'clock, P. M.

Mr. Hart moved that the House adjourn.

Lost.

The question was then taken on Mr. Crossman's motion, and the same agreed to.

Afternoon Session.

Half-past two o'clock.

The House was called to order by the Speaker.

The roll was called and the members all present except those excused on account of sickness.

PRESENTATION OF PETITIONS.

Mr. Hart presented the petition of S. V. Warner and 7 others, of Lapeer county, asking for the passage of laws prohibiting the sale of intoxicating drinks as a beverage.

Referred to the committee on State affairs.

By unanimous consent, the Speaker announced the following message from the Executive:

EXECUTIVE OFFICE, }
Lansing, March 17, 1851. }

To the Senate and House of Representatives:

I herewith transmit for your consideration, a communication from the Superintendent and Inspector of lights on the North Western Lakes, requesting the Legislature to cede to the United States jurisdiction over a parcel of land near the mouth of the Muskegon River, on which it is proposed to erect a light house.

JNO. S. BARRY.

Referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Lawrence offered the following resolution:

Resolved, That the operation of the following resolution, adopted by this House on the 14th inst.:

"That the afternoon session of this House be devoted to the general order," be suspended for this afternoon.

Adopted.

Mr. Church moved a reconsideration of the vote by which

The bill to amend an act entitled an act to authorize the sale of the Central Railroad and to incorporate the Michigan Central Railroad Company, approved March 28, 1846, and

The bill to amend an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846, were made the special order of the day for Thursday next.

Pending the question on which,

On motion of Mr. Church,

The motion was laid on the table.

The House then resumed the consideration of the bill to amend section 2 of an act entitled an act to incorporate the Michigan mining company, approved March 30, 1848.

The pending question on which being Mr. Britain's proposed substitute to the amendment reported back by committee of the whole.

After considerable debate by Messrs. Britain, Irvine and Hart, Mr. Irvine called for a division of the question.

Agreed to.

The question was then taken on the first branch of the amendment, as follows: "Said company shall at all times be subject to all general laws in force relative to mining companies," and the same not agreed to, by the following vote:

YEAS.

Mr. Balcombe,
Britain,
Childs,
Covert,
Crosman,
Darling,
Fitch,
Fowler,

Mr. Gray,
Hitchings,
Lawrence,
Martin,
Marvin,
Minne,
Patterson

Mr. Pierce,
Sexton,
Smith,
Voorhies,
P. D. Warner,
Wheeler,
Yocum,

NAYS.

Mr. Bacon,	Mr. Crane,	Mr. H. M. Moore,
Baldwin,	Earl,	Root,
Barnes,	Ferry,	Shearer,
Beecher,	Gulley,	Sherwood,
Church,	Hart,	Shook,
Darius Clark,	Hyde,	Truesdell,
David Clark,	Irvine,	Turner,
Clyburn,	Kimberly,	W. Warner,
Corbin,	Montgomery,	Watkins,
Corrigan,	A. H. Moore,	Speaker, 30

The second branch of the amendment, viz: "Said company shall only hold, either by purchase or otherwise, such real estate as shall be necessary for the exercise of its corporate franchises," was adopted.

The bill was then ordered engrossed for a third reading.

A bill to amend an act to provide for the appraisal of certain lands in Berrien county, approved April 2, 1850,

Was then taken up; and the question being on concurring in the amendment of the committee of the whole, which was a substitute to the bill,

Pending which,

On motion of Mr. Irvine,

The bill and substitute were ordered laid on the table, and the amendment ordered printed.

A bill to establish a circuit court in the county of Montcalm,

Was then taken up; and the question being on its engrossment for a third reading,

Mr. Church offered the following amendment:

Strike out "within twenty days after the passage of this act," and insert, "within twenty days after the appointment of a judge for said circuit."

Adopted.

The bill was then ordered engrossed for a third reading.

A bill to amend chapter 79 of the R. S. of 1846, was then taken up.

The question being on its engrossment for a third reading,

Mr. D. P. Warner offered the following amendment:

Insert after "statutes," in line 2, "of 1846."

Adopted.

The bill was then ordered engrossed for a third reading.

A bill to amend section 6 of chapter 84 of title 20 of the revised statutes, relative to divorces, was then taken up by the House, when

Mr. Truesdell moved to strike out all after the enacting clause.

Pending the question on which,

Mr. P. D. Warner offered the following amendment:

Amend section 1, line 5, by striking out "citizen," and inserting "resident;" and 19th line be made to correspond.

Adopted.

Mr. Darling offered the following amendment:

Strike out all after "State," in last line.

Adopted.

The question then recurring on the motion to strike out all after the enacting clause,

The same did not prevail.

By unanimous consent,

On motion of Mr. Darling,

The bill was then amended by striking out in line 6, the words "without actual notice to such party."

The bill was then ordered engrossed for a third reading.

A bill to amend an act entitled an act to incorporate the Phenix Copper Company, approved March 31, 1849;

A bill to amend an act entitled an act to incorporate the New York and Michigan Mining Company of Detroit, approved March 30, 1848;

A bill to amend the charter of the village of Niles,

Severally reported back by committee of the whole without amendment, were ordered engrossed for a third reading.

A bill to amend section 3 of an act entitled an act to incorporate the Albion Mining Company, approved March 27, 1848, was taken up, when

Mr. Bacon offered the following amendment thereto:

Add, "said company shall only acquire, hold and convey such real and personal estate in the State of Michigan as shall be necessary for the exercise of its corporate franchises."

Adopted.

The bill was then ordered engrossed for a third reading.

The House then took up

A bill to amend an act entitled an act to incorporate the Pioneer Smelting Company of the upper peninsula of Michigan, approved March 1, 1847.

And the question being on concurring in the amendment made in committee of the whole,

Mr. Fitch offered the following amendment to said amendment:

Add to section 2 as follows: "not exceeding three thousand acres at any one time."

Mr. Kimberly offered the following amendment to Mr. Fitch's amendment.

Add after "3,000 acres," "which shall not exceed one half swamp."

Lost.

The question was then taken on the amendment of Mr. Fitch and lost as follows:

YEAS.

Mr. Balcombe,
Britain,
Butterfield,
S. M. Case,

Mr. Covert,
Fitch,
Fowler,
Gray,

Mr. Martin,
Marvin,
Wheeler,

11

NAYS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Chandler,
Childs,
Church,
Clyburn,
Crane,
Crossman,
Darling,
Earl,
Ferry,

Mr. Gulley
Hart.
Hitchins,
Hyde,
Irvine,
Kimberly,
Lawrence,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Pierce,

Mr. Sexton,
Shearer,
Sherwood,
Shook,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Varner,
W. Warner,
Watkins,
Yocum,
Speaker,

39

Mr. Britain offered the following amendment:

Strike out "may hold and convey" and insert: "shall only hold either by purchase or otherwise, such real estate as shall be necessary for the exercise of its corporate franchises."

Adopted.

The bill was then ordered engrossed for a third reading.

The House then took up a bill to regulate proceedings in attachment against foreign corporations in certain cases, when

Mr. Truesdell offered the following amendment thereto:

Add to section 2 the following:

"And in all cases brought by virtue of any law of this State authorizing proceedings against garnishees, if judgment be not rendered against said garnishee, he shall be entitled to the same fees as he would be if he were subpoenaed as a witness in such cause."

Adopted.

The bill was then ordered engrossed for a third reading,

On motion of Mr. Irvine,

The House adjourned.

Lansing, Tuesday, March 18, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and the members all present except those excused on account of sickness.

On motion of Mr. P. D. Warner,

The reading and correcting of the journal of yesterday was postponed until to-morrow.

PETITIONS PRESENTED.

Mr. Marvin presented the memorial of sundry citizens of Saline, relative to the claim of Eneas Daly.

Referred to the committee on public lands.

Mr. Childs presented the petition of John Chrystophens, D. R. Daniels and 46 others;

Mr. Warner: of Charles H. Durand and 48 others, relative to the license laws and the traffic in ardent spirits.

Referred to committee on State affairs.

Mr. Voorhies: of Jesse Decker, Simeon Andrews and N. B. Miller, to vacate the village plat of New Canandaigua City, in the county of Oakland.

Referred to the committee on towns and counties.

REPORTS.

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred

A bill to authorize the incorporation of bridge companies,

Reported the same back without amendment, recommended its passage, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Mr. H. M. Moore, of the special committee appointed to inquire into the matter of the canal around Grand Rapids, at Grand River, submitted a report in writing thereon.

The report was accepted and ordered laid on the table and printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Darling offered the following resolution:

Resolved, That from and after this day no member shall be allowed, either in the House or in committee of the whole, to occupy more than ten minutes in speaking the first time, nor more than five minutes the second time, on any one question, without leave of the House.

Mr. Wheeler offered the following as a substitute:

Whereas, The session of this Legislature is fast drawing to a close, and there being much important business before this body, be it therefore

Resolved, That no member be permitted to speak more than twice on any one question, and shall not be permitted to speak but fifteen minutes the first time, and but ten minutes the second time.

Lost.

Mr. P. D. Warner then moved to lay on the table.

Lost.

Mr. Patterson offered the following amendment:

"And that they shall make their speeches as appropriate as possible."

Mr. Shearer moved to amend the amendment by striking out the word "appropriate," and inserting, "comprehensive." Accepted.

And the question being taken on the amendment as modified, the same was not agreed to.

Mr. Church offered the following amendment:

"And no person shall be allowed by a vote of the House to proceed further, when stopped by this rule from speaking."

Adopted.

Mr. Hart moved to indefinitely postpone the whole matter.

Lost.

The resolution as amended was then adopted.

Mr. Crosman offered the following resolution:

Resolved, That the committee on State affairs, to whom has been referred sundry petitions on the liquor traffic, be requested to report thereon, on or before Thursday next, by bill or otherwise.

To which Mr. Barnes offered the following amendment:

"That all the petitions on the subject be referred to the member from Ingham, with request to report to-morrow morning."

Mr. S. M. Case moved to lay the whole subject on the table.

Which, after some conversation, he withdrew.

The question was then taken on the amendment of Mr. Barnes, and the same was not agreed to.

Mr. Kimberly moved to strike out "Thursday" and insert "Monday."

Accepted by Mr. Crosman.

And the resolution thus amended was adopted by the following vote:

YEAS

Mr. Bacon,
Baldwin,
Beecher,
Calkins,
Chandler,
Childs,
Church,
Darius Clark,
Clyburn,
Corbin,
Crane,
Crosman,
Darling,
J. B. Eaton,
L. Eaton,

Mr. Fitch,
Gray,
Gregory,
Gulley,
Hart,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,

NAYS.

Mr. Barnes,
D. L. Case,
S. M. Case,

Mr. David Clark,
Ferry,
Hyde,

Mr. Turner,
Speaker,

8

Mr. Calkins, by unanimous consent, introduced

A bill to provide for holding terms of the circuit court in the county of Tuscola.

Read a first and second time, and referred to the committee on the judiciary.

Mr. Kimberly, by unanimous consent, introduced

Joint resolutions relative to granting of lands to actual settlers.

Read a first and second time and referred to the committee on public lands.

THIRD READING OF BILLS.

The following entitled bills were then read a third time and passed, viz:

A bill to amend an act entitled an act to amend an act to incorporate the Indiana and Adrian plank road company, approved April 2, 1850, by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,

Mr. Earl,
Fenton,
Fitch,
Gray,
Gregory,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Martin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

46

NAYS.

0

A bill to authorize the formation of telegraph companies, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crossman,

Mr. Darling,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
Gulley,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Speaker,

56.

NAYS.

Mr. Fowler,

1

The House then directed, by a vote of two-thirds of all the members, that the last named shall take effect immediately.

A bill to amend section 3 of an act entitled an act to incorporate the Albion mining company, approved March 27, 1848, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Butterfield,
Colkins,
D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Darling,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
Hart,
Hitchings,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

57

NAYS.

Mr. Speaker,

1

A bill to amend section 6 of chapter 84 of title 20 of the revised statutes, relative to divorces, by the following vote:

YEAS.

Mr. Balcombe,
Barnes,
Beecher,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Darling,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
Hitchings,
Hyde,
Irvine,
Lawrence,
Martin,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Pierce,
Sheater,
Sherwood,
Shook,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker,

40

NAYS.

Mr. Baldwin,
Calkins,
Crane,
Earl,

Mr. L. Eaton,
Gray,
Kimberly,
Marvin,

Mr. Root,
Smith,
Truesdell,
Wheeler,

12

A bill to amend an act entitled an act to incorporate the Phenix Copper Company, approved March 31, 1849, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corrigan,
Crane,
Darling,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

48

NAYS.

0

A bill to amend an act entitled an act to incorporate the New York and Michigan Mining Company of Detroit, approved March 30, 1849, by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. H. M. Moore,
Baldwin,	L. Eaton,	Patterson,
Barnes,	Ferry,	Pierce,
Butterfield,	Fitch,	Root,
Calkins,	Fowler,	Sexton,
D. L. Case,	Gray,	Shearer,
S. M. Case,	Gregory,	Sherwood,
Chandler,	Gulley,	Truesdell,
Childs,	Hitchings,	Turner,
Church,	Hyde,	Voorhies,
Darius Clark,	Irvine,	Waite,
David Clark,	Kimberly,	P. D. Warner,
Clyburn,	Lawrence,	W. Warner,
Corbin,	Martin,	Watkins,
Corrigan,	Minne,	Wheeler,
Crane,	Montgomery,	Yocum,
Darling,	A. H. Moore,	Speaker,
Earl,		

52
0

NAYS.

A bill to amend chapter 79 of the revised statutes of 1846, by the following vote:

YEAS.

Mr. Bacon,	Mr. Darling,	Mr. H. M. Moore,
Barnes,	L. Eaton,	Patterson,
Beecher,	Ferry,	Pierce,
Butterfield,	Fitch,	Root,
D. L. Case,	Gulley,	Sexton,
Childs,	Hyde,	Shearer,
Church,	Irvine,	Sherwood,
Darius Clark,	Kimberly,	Turner,
David Clark,	Lawrence,	Voorhies,
Clyburn,	Martin,	Waite.
Corbin,	Marvin,	P. D. Warner,
Crane,	Minne,	W. Warner,
Crosman,	A. H. Moore,	Wheeler,

39

NAYS.

Mr. Speaker,

1

On motion of Mr. Church,

The last named was amended so as to read, "A bill to amend sec-

tions 33, 34 and 35 of chapter 79 of the revised statutes of 1846, relative to the sale of real estate on execution."

A bill to establish a circuit court in the county of Montcalm,

Was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. A. H. Moore,
Baldwin,	J. B. Eaton,	Patterson,
Barnes,	L. Eaton,	Pierce,
Calkins,	Ferry,	Root,
D. L. Case,	Fitch,	Sexton,
S. M. Case,	Fowler,	Shearer,
Chandler,	Gray,	Sherwood,
Childs,	Gregory,	Smith,
Church,	Gulley,	Truesdell,
Darius Clark,	Hitchings,	Turner,
David Clark,	Hyde,	Voorhies,
Clyburn,	Irvine,	Waite,
Corbin,	Kimberly,	P. D. Warner,
Corrigan,	Lawrence,	W. Warner,
Covert,	Martin,	Wheeler,
Crane,	Marvin,	Yocum,
Crosman,	Minne,	Speaker,
Darling,	Montgomery,	

52

NAYS.

0

And a bill to amend the charter of the village of Niles, by the following vote:

YEAS.

Mr. Bacon,	Mr. Crane,	Mr. A. H. Moore,
Balcombe,	Crosman,	H. M. Moore,
Baldwin,	Darling,	Patterson,
Barnes,	Earl,	Pierce,
Beecher,	J. B. Eaton,	Root,
Butterfield,	L. Eaton,	Sexton,
Calkins,	Ferry,	Sherwood,
D. L. Case,	Fitch,	Smith,
S. M. Case,	Gregory,	Truesdell,
Childs,	Gulley,	Turner,
Church,	Hyde,	Voorhies,
Darius Clark,	Irvine,	Waite,
David Clark,	Kimberly,	P. D. Warner,
Clyburn,	Lawrence,	W. Warner,
Corbin,	Martin,	Wheeler,
Corrigan,	Marvin,	Yocum,
Covert,	Minne,	

51

NAYS.

Mr. Speaker,

1

The House then, directed by a vote of two-thirds of all the members elected, that the last named act shall take effect immediately,

Mr. Gray moved a call of the House.

Call ordered.

The roll was called by the Clerk, when it appeared that Messrs. S. M. Case, Hart and Shook were absent without leave.

The Sergeant-at-Arms was directed to procure the attendance of the absentees.

The absentees soon after appearing at the bar of the House,

On motion of Mr. P. D. Warner,

All further proceedings under the call were dispensed with.

A bill to amend section 2 of an act entitled an act to incorporate the Michigan Mining Company, approved March 30, 1848,

Was read a third time and lost as follows, two-thirds of the members elected not voting therefor:

YEAS.

Mr. Bacon,
Baldwin,
Butterfield,
Calkins,
D. L. Case,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,

Mr. Darling,
Earl,
Ferry,
Fowler,
Gregory,
Gulley,
H. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Pierce,
Root,
Shearer,
Sherwood,
Smith,
Turner,
Waite,
P. D. Warner,
Watkins,
Wheeler,

28

NAYS.

Mr. Barnes,
Britain,
Croaman,

Mr. Fitch,
Truesdell,
Voorhies,

Mr. W. Warner,
Yocum,

8

Mr. Truesdell moved a reconsideration of the last vote; when,

On motion of Mr. Church,

The motion of Mr. Truesdell was ordered laid on the table.

A bill to amend an act entitled an act to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan, approved March 1, 1847;

Was taken up for a third reading; when

Mr. Montgomery moved that it be laid on the table:

Lost.

Mr. Balcombe asked the unanimous consent of the House to make an amendment to the bill.

Objected to.

Mr. Irvine moved to recommit the bill to the committee on banks and incorporations, with instructions to make certain amendments thereto.

Lost.

The bill was then read a third time and lost by the following vote, two-thirds of all the members elected not voting therefor:

YEAS.

Mr. Bacon,	Mr. Ferry,	Mr. Montgomery,
Baldwin,	Fowler,	A. H. Moore,
Butterfield,	Gregory,	H. M. Moore,
D. L. Case,	Gulley,	Shook,
Church,	H. Hall,	Smith,
Darius Clark,	Hart,	Turner,
David Clark,	Hyde,	Waite,
Clyburn,	Irvine,	P. D. Warner,
Crane,	Kimberly,	Watkins,

27

NAYS.

Mr. Balcombe,	Mr. L. Eaton,	Mr. Shearer,
Barnes,	Fitch,	Truesdell,
Beecher,	Lawrence,	Voorhies,
Britain,	Martin,	W. Warner,
S. M. Case,	Patterson,	Wheeler,
Childs,	Pierce,	Yocum,
Covert,	Sexton,	Speaker,
Crosman,		

22

Mr. Shearer moved a reconsideration of the last vote; when

On motion of Mr. Balcombe,

The motion of Mr. Shearer was ordered laid on the table.

The House then resolved itself into committee of the whole on the general order,

Mr. J. B. Eaton in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported back to the House, that they had had under consideration,

A bill to provide for the incorporation of companies to construct plank roads;

Upon which they had made some progress, and asked leave to sit again thereon.

The report was accepted and leave granted.

By unanimous consent, the Speaker announced the following message from the Executive:

EXECUTIVE OFFICE,
Lansing, March 18, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act to organize the township of Heath, in the county of Allegan, and the township of Austin, in the county of Sanilac.

JNO. S. BARRY.

The Speaker appointed Messrs. Shearer and Calkins a committee to wait on Professor S. A. Baker, to request a copy of his lecture on education, under a resolution of the House, adopted yesterday

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 17, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit herewith,

House bill to provide for the payment of the members and officers of the Legislature; and

A bill to provide for filling vacancies that exist or may occur in certain judicial offices;

And to respectfully inform you that the Senate have passed the same by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Secretary Senate.

The first named was twice read and referred to the committee of ways and means.

The second was twice read and referred to committee on the judiciary.

On motion of Mr. Hyde,

The House adjourned.

Lansing, Wednesday, March 19, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called, and the members were all present except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

And the journals of Monday and yesterday were then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Wheeler presented the petition of Mary E. Wheeler and 135 other ladies of the village of Northville, Wayne county;

Mr. Chandler: of S. H. Ewell and 28 others of Macomb county; and of Chas. Phillips and 30 others of the same county, all asking legislation on the liquor traffic.

Severally referred to the committee on State affairs.

Mr. Butterfield presented the petition of Wm. P. Abell and 78 others, citizens of Niles and Bertrand townships, asking for the repeal of the law of the session of 1850, attaching a portion of Bertrand township to the township of Niles; and the remonstrance of C. Seward and 190 others, against the division of the township of Niles.

Severally referred to the committee on towns and counties.

Mr. Britain: of P. B. Brooke and 20 others, citizens of Niles, in favor of a law allowing Central rail road company to subscribe for stock in the Great Western rail road, Canada West.

Referred to the committee of the whole, and placed on the general order.

REPORTS.

Mr. Church, from the judiciary committee, to which was referred A bill directing the publication of a statement of lands to be sold in Clinton county, in 1851;

A bill to amend Chapter 12 of the revised statutes of 1846;

A bill for the better protection of inn keepers and others; and

A bill to provide for filling vacancies that exist or may occur in certain judicial offices;

Reported the same back to the House with an amendment to the

third named, asked the concurrence of the House therein, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged.

The first named was referred to the committee of the whole.

On motion of Mr. Butterfield,

The second was referred to the committee of ways and means.

The amendment to the third was concurred in and the bill referred to the committee of the whole and placed on the general order.

The fourth named was laid on the table and ordered printed.

Mr. D. L. Case, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the Oakland and Ottawa Rail Road Company, approved April 3, 1848,

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the House without amendment, recommend its passage and ask to be discharged from the further consideration thereof.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

Mr. Britain, from the committee of ways and means, to whom was referred

A bill to provide for the payment of the members and officers of the Legislature,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill referred to the committee of the whole and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Shearer offered the following resolution:

Resolved, That the the thanks of this House be rendered to the Rev. Mr. Baughman for his able address on the subject of Temperance, delivered in the hall of the House last evening.

Adopted.

Mr. Shearer moved to discharge the committee of the whole from the further consideration of the bill to authorize school district No. 4, in the township of Ypsilanti, to establish a free school in said district.

Agreed to.

The bill was then ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. H. M. Moore,
Balcombe,	J. B. Eaton,	Patterson,
Baldwin,	L. Eaton,	Pierce,
Barnes,	Ferry,	Root,
Britain,	Fitch,	Sexton,
Butterfield,	Fowler,	Shearer,
Calkins,	Gray,	Sherwood,
D. L. Case,	Gulley,	Shook,
S. M. Case,	H. Hall,	Smith,
Chandler,	Hart,	Truesdell,
Childs,	Hicks,	Turner,
Church,	Hyde,	Voorhies,
Darius Clark,	Irvine,	Waite,
David Clark,	Lawrence,	P. D. Warner,
Clyburn,	Martin,	W. Warner,
Corbin,	Marvin,	Watkins,
Corrigan,	Minne,	Wheeler,
Covert,	Montgomery,	Yocum,
Crane,	A. H. Moore,	Speaker,
Crosman,		

58

NAYS.

0

Mr. Fitch offered the following resolution:

Resolved, That hereafter the daily sessions of this House shall commence at half-past 9 o'clock A. M., and at half-past 2 P. M.

Agreed to.

Mr. Irvine moved to discharge the committee of the whole from the further consideration of the bill to provide for supplying school districts with a certain book.

Agreed to.

The question then being on ordering the bill engrossed for a third reading,

Mr. Pierce moved to strike out all after the enacting clause.

After considerable debate,

Mr. Truesdell offered the following amendment:

Strike out of line 3 of section 1, the words "school district," and insert "township libraries;" also in lines 5 and 6, the words "school districts," and insert "township libraries."

Lost.

Mr. Shook then offered the following amendment:

In line 5, between the words "State as," insert "and one copy to each chartered institution of learning that has made a report to the Superintendent of Public instruction."

Mr. Pierce offered the following amendment thereto:

"And also one copy to each family in the State."

Lost.

The question was then taken on Mr. Shook's amendment, and the same was not agreed to.

Mr. Gray then offered the following amendment:

Amend section 1, line 3, by inserting after "Political Landmarks," the words "and Holy Bible." Also in line 5, change the word "book" to "books."

Mr. Crosman offered the following amendment:

Amend in third line, by striking out "Political Landmarks," and insert "the session laws of 1851, when published." Lost.

The question then recurring on the motion to strike out all after the enacting clause, the same did not prevail, as follows:

YEAS

Mr. Baldwin,
Barnes,
Chandler,
Corbin,
Corrigan,
Crane,
Crosman,

Mr. Gray,
H. Hall,
Lawrence,
Minne,
Montgomery,
Pierce,
Root,

Mr. Smith,
Truesdell,
Waite,
Watkins,
Wheeler,
Yocum,

20

NAYS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield,
Oalkins,
S. M. Case,
Church,

Mr. J. B. Eaton,
L. Eaton,
Fitch,
Fowler,
Gregory,
Gulley,
Hart,
Hyde,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Turner,

Darius Clark,
David Clark,
Covert,
Earl,

Irvine,
Kimberly,
Martin,
Marvin,

Voorhies,
P. D. Warner,
W. Warner,
Speaker, 36

And the bill was then ordered engrossed for a third reading.

On motion of Mr. Beecher,

The committee of the whole were discharged from the further consideration of the bill to provide for the payment of the members and officers of the Legislature.

The bill was then ordered to be read a third time, was so read and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkine,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corbin,

Mr. Corrigan,
Covert,
Crane,
J. B. Eaton,
L. Eaton,
Fitch,
Fowler,
Gray,
Gulley,
Hicks,
Irvine,
Lawrence,
Martin,

Mr. Marvin,
Minne;
Montgomery,
A. H. Moore,
H. M. Moore,
Pierce,
Sexton,
Shearer,
Smith,
P. D. Warner,
Watkins,
Wheeler,
Yocum,

40

NAYS.

Mr. S. M. Case,
Church,
Crosman,
Ferry,
H. Hall,

Mr. Hart,
Kimberly,
Patterson,
Root,

Mr. Voorhies,
Waite,
W. Warner,
Speaker,

13

The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

The Speaker announced the following message:

SENATE CHAMBER,
Lansing, March 18, 1851. }

To the Speaker of the House of Representatives:

SIR :—I am instructed to return herewith,

1. A bill authorizing the Auditor General to publish certain tax sales in the Barry County Pioneer;

2. A bill supplementary to acts incorporating the city of Detroit; and

3. A bill to change the boundary between the townships of Palmyra and Ogden, in the county of Lenawee;

And to respectfully inform you that the Senate have concurred therein, each by a vote of two-thirds of all the Senators elect.

Also to transmit

4. A bill to provide for the organization and powers of the Supreme court;

5. A bill conferring additional powers upon judges of probate, and providing for the administration of the estates of deceased persons;

6. A bill to amend sections 44, 46, and 47, chapter 12 of the revised statutes of 1846, relative to the board of State Auditors;

And to respectfully inform you that the Senate have passed the same by a vote of two-thirds of all the Senators elect; also,

7. Joint resolutions relative to primary school lands,

Which the Senate have passed, and ordered the same to take effect immediately, by a vote of two-thirds of all the Senators elect, and in all which the concurrence of the House is asked.

Respectfully,

O. W. MOORE,

Secretary Senate.

The 1st, 2d and 3d named bills were ordered enrolled.

The 4th, 5th and 6th, were severally read twice, and referred to the committee on the judiciary.

The 7th was twice read and referred to the committee on public lands.

Mr. Church moved to take from the table the motion to discharge the committee of the whole from the bill to amend section 58 of an act to incorporate the city of Grand Rapids, approved April 2, 1850.

Agreed to.

The motion then prevailed.

The bill was then ordered to be read the third time, was so read and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,

Mr. Ferry,
Fitch,

Mr. Montgomery,
H. M. Moore,

Barnes,
Britain,
Butterfield,
S. M. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Earl,
J. B. Eaton,
L. Eaton,

Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Patterson,
Pierce,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Speaker,

52

NAYS.

0

The House then directed, by a vote of two-thirds of all the members elected, that the last named shall take effect immediately.

Mr. Turner offered the following resolution:

Resolved, That a committee of seven be appointed by the chair, to whom the numerous petitions on the subject of the sale of spirituous liquors shall be transferred, with a request that they report thereon at as early a day as practicable.

Adopted.

Mr. Smith asked and obtained the unanimous consent of the House to introduce

A bill to amend section 1 of an act to attach the county of Huron to Sanilac for legislative purposes, approved April 1, 1850.

Read a first and second time, when

Mr. Smith moved that the rule be suspended, and that the bill be now read a third time.

Adopted.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Britain,

Mr. Crosman,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,

Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Fowler,
Gray,
Gregory,
Gulley,
Hicks,
Hitchings,
Hyde,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,
H. M. Moore,

Sherwood,
Shook,
Smith,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

55

NAYS.

0

The House then, by a vote of two-thirds of all the members elected, directed that said act take immediate effect.

The Speaker appointed Messrs. Chandler, Turner, Ferry, Corbin, Shearer, Crossman and Patterson, as the select committee on the license laws, under the resolution of the House.

The House then resolved itself into committee of the whole on the general order,

Mr. J. B. Eaton in the chair.

After some time spent thereon, the committee rose, and through their chairman reported that they had had under consideration

A bill to provide for the incorporation of companies to construct plank roads, upon which they had made some progress and asked leave to sit again thereon.

The report was accepted and leave granted.

The Speaker, by consent, announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 19, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to inform you that the Senate have concurred in the House amendment to the bill to authorize the formation of telegraph companies, have ordered the bill to take immediate effect by a vote of two-thirds of all the Senators elect, and have ordered the same, as amended, enrolled.

To return

1. A bill to provide for the issuing of a patent to Chauncey G. Pope and Thomas L. Pope, for certain lands, and to respectfully inform you that the Senate have concurred therein.

Also to transmit,

2. A bill to amend an act to incorporate the Peninsular Mutual Fire and Marine Insurance Company, approved March 12, 1844;

3. A bill to amend an act to incorporate the Lansing coal company, approved March 28, 1849;

4. A bill supplemental to an act entitled an act to incorporate the Walkkr and Vergennes plank road company, approved April 1, 1850;

5. A bill supplemental to an act entitled an act to incorporate the St. Clair plank road company, approved April 2, 1849; and

6. A bill supplemental to an act entitled an act to incorporate the Grand Rapids and Plainfield plank road company, approved March 20, 1850;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Sec'y of Senate.

The first named bill was ordered enrolled.

The 2d, 3d, 4th, 5th and 6th, were severally read a first and second time and referred to the committee on banks and incorporations.

Mr. Crosman moved that the House take a recess till half-past 2 o'clock P. M.

Mr. Fowler moved that the House adjourn.

Lost.

The question then recurring on the motion of Mr. Crosman, The same was agreed to.

Afternoon Session.

Half-past two o'clock.

The roll was called and the members all present, except those excused on account of sickness.

The House then resolved itself into committee of the whole on the genral order,

Mr. J. B. Eaton in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House,

A bill to provide for the incorporation of companies to construct plank roads;

To which they had made sundry amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

On motion of Mr. Hyde,

The bill was ordered laid on the table, and the amendments ordered printed.

By unanimous consent, Mr. Hyde, from the committee on State affairs, to which was referred that portion of the Governor's message and sundry petitions, relative to the license laws and sale of ardent spirits, reported the same back to the House and asked to be discharged from further consideration of the subject.

The report was accepted, the committee discharged, and the subject referred to the select committee appointed under a resolution of the House.

By unanimous consent,

Mr. Ferry gave notice that he would on some future day ask leave to introduce a bill providing for the adjustment of the claims of Messrs. Hawks and Bassett, and A.C. Van Raalte, by the board of State Auditors.

On motion of Mr. Sherwood,

The House adjourned until ten o'clock to-morrow morning.

Lansing, Thursday, March 20, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called and the members all present except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. H. M. Moore presented the petition of Madden Macomber and 49 others of Montcalm county;

Mr. Britain: of Geo. B. Murdock and 47 others, and

Mr. A. H. Moore: of Milo Fellows and 57 others,

All asking for legislative action on the subject of the license laws and the traffic in ardent spirits.

Severally referred to the select committee on the license laws.

Mr. Butterfield presented the remonstrance of Samuel Street and 102 others of the townships of Niles and Bertrand, against the division of the township of Niles.

Referred to the committee on towns and counties.

Mr. J. B. Eaton: of Amos S. Root and 131 others of Jackson county, and of Henry Holcomb and 189 others of the same county, asking for the passage of a law incorporating the Grand River Valley rail road company.

Referred to committee of the whole.

Mr. Britain: the remonstrance of Levi B. Taft and 101 others, citizens of Niles, against the passage of any law giving the Southern rail road company leave to go out of the State, unless it be on terms which shall absolutely secure to the Central rail road a safe transit through the State of Indiana to the Illinois line, on the route to Chicago, and also asking that the Central rail road be allowed to subscribe for stock in the Canada rail road.

Referred to committee of the whole.

Mr. Britain also presented the petition of citizens of Lansing, relative to improvements in section 16, in the township of Lansing.

Referred to the committee on public lands.

REPORTS.

- Mr. Irvine, from the committee on education, submitted the following report:

The committee on education, by their chairman, report the following bill:

A bill to amend chapter 58 of the revised statutes, relative to primary schools;

Recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged and the bill read a first and second time, referred to the committee of the whole, and placed on the general order.

• Mr. Hitchings, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties, to whom were referred sundry petitions of the citizens of the townships of Niles and Bertrand, in the county of Barrigan, praying for the repeal of an act passed at the session of the Legislature of 1850, detaching part of the town of Bertrand, and attaching the same to the town of Niles, and also the remonstrance of citizens of Niles and Bertrand, against the prayer of said petitioners, have had the same under consideration; also, the petition of citizens of the township of Bowne in the county of Kent, asking that the name of the town of Bowne be changed to that of Hamilton;

Have had the same under consideration, and instructed their chairman to report adversely to the prayer of said petitioners.

J. P. HITCHINGS, Ch'm.

The report was accepted and the committee discharged from the further consideration of the subject.

Mr. P. D. Warner submitted the following report:

The committee on elections have directed me as their chairman to report three several bills relative to elections, which are respectively submitted for the consideration of the House, and from the further consideration of all of which your committee ask to be discharged.

P. D. WARNER, Ch'm.

The report was accepted, the committee discharged, and the several bills entitled as follows:

A bill to provide for the election of a district judge and regent of the university in the upper peninsula;

A bill to provide for holding general elections in the upper peninsula; and

A bill to repeal certain acts relative to elections,

Read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Shearer, from the committee on agriculture and manufactures, reported

A bill to establish an agricultural school, and to appropriate certain salt spring land therefor.

Read a first and second time, referred to the committee of the whole, and placed on the general order.

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred

A bill to amend the charter of the Plymouth plank road company,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Hitchings, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties, have had under consideration the petitions of citizens of Kent and Montcalm counties, praying that townships No. 9 and 10, north of range No. 9 west, be set off from the county of Kent, and attached to the county of Montcalm;

Also, the petitions of citizens of Ottawa county, asking that townships numbered 5, 6, 7, 8, 9 and 10, north of range 13 west, be set off from the county of Ottawa, and attached to the county of Kent;

Also, petitions of citizens of Oakland county, asking for the vacation of the village plat of the village of New Canandagua City, in the county of Oakland, and through their chairman respectfully report bills for the same, recommending their passage, and ask to be discharged from the further consideration thereof.

J. P. HITCHINGS, Ch'n

The report was accepted, the committee discharged, and the bills entitled as follows:

A bill to attach townships 9 and 10, north of range 9 west, to the county of Montcalm;

A bill to attach townships 5, 6, 7, 8, 9 and 10, north of range 13 west, to the county of Kent; and

A bill to vacate the village plat of New Canandagua City, in the county of Oakland;

Were severally read twice, referred to the committee of the whole and placed on the general order.

Mr. Pierce, from the committee on ways and means, submitted the following report:

The committee on ways and means, to whom was referred the petition of Harry C. Andrews, Luman Fuller, William B. Hebbard, George F. Perry, Ira Hoag, William Simpson and eighty-nine other citizens of the township of Milford and vicinity, in the county of Oakland, "praying that the existing laws may be so changed that those persons, citizens of this State, who do not possess property of the value of two thousand dollars, may have the deficit made up to them from the State treasury," have had said petition under consideration and have examined the subject; and have taken into consideration the number of the petitioners, their residence being located in one of the oldest and most populous counties in the State, whose improvements in agriculture, manufactures, trade, education and wealth have been multiplying with unexampled prosperity for more than forty years.

And your committee have received information and verily believe that a considerable portion of the persons who have subscribed their names to this petition, are men of large fortunes, whose property and possessions under the common acceptation of the word, are more and greater than is necessary for the comfort and happiness of any family in this country, under our democratic system of government.

Your committee, in their great exertions to render to the petitioners all the assistance within their reach, have learned that some portion of the petitioners are not blessed with a full store of the goods of this world, or in other words they have not within their individual possession the amount of property which the revised constitution

and laws of this State allow every resident to have, hold possess and enjoy, undisturbed by the oppressive creditor.

Your committee, after soanning the subject as fully as the time allowed them on that subject would admit, have come to the conclusion that it would be improper for the Legislature, at this time, to comply with the prayer of the petitioners for the following reasons:

First. Because there are but few petitioners compared with the population of the State; and those petitioners are all residents of one town; and the inference is that the passage of a law in accordance with the prayer of the petitioners would not be sustained, and is not asked for by any considerable number of the people.

Secondly. That the right to take the property acquired and held by the individual citizens of this State, and without the consent of such citizens bestow said property upon other citizens, has not, in the opinion of your committee, been the expressed will of any considerable portion of the people.

But in order and for the purpose of carrying out the principle recommended in the prayer of the petitioners, your committee recommend to the petitioners of the township of Milford and vicinity, that they proceed to carry out the principle contemplated and asked for in their petition, by setting off from their estates so much personal and real property and transferring the same to their poor and destitute neighbors in the township of Milford as will put into the possession of every resident in said town, property to the amount and value of two thousand dollars, including his present property. And providing the operation should prove as admirably prosperous and essential to the perpetuity of our republican institutions as is represented in the petition, the example would soon be followed by the citizens of other sections of the State, and when fully tested and its benefits realized, become one of the laws of the State.

And with a view to assist the petitioners in carrying into operation their liberal and patriotic principles, your committee have reported the accompanying bill and recommend its passage, and ask to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged and the bill ordered laid on the table and printed.

Mr. Lawrence, from the committee on engrossment and enroll-

ment, reported as correctly enrolled, signed, and this day presented to the Governor for his approval.

An act supplementary to acts incorporating the city of Detroit;

An act authorizing the Auditor General to publish certain tax sales in the Barry County Pioneer;

An act to provide for the issuing of a patent to Chauncy G. Pope and Thomas L. Pope, for certain lands; and

An act to change the boundary between the townships of Palmyra and Ogden, in the county of Lenawee.

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred

A bill to amend an act to incorporate the Lansing coal company, approved March 28, 1849,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and said bill referred to the committee of the whole and placed on the general order.

Mr. Church, from the judiciary committee, to which was referred

A bill to provide for the organization and powers of the Supreme court,

Reported the same back without amendment, recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Mr. Church, from the same committee, to which was referred

A bill conferring additional powers upon judges of probate, and providing for the administration of the estates of deceased persons; and

A bill to amend sections 44, 46 and 47, chapter 12 of the revised statutes of 1846, relative to the board of State Auditors,

Reported the same back without amendment, recommended their passage and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, and the bills ordered laid on the table and printed.

MESSAGES.

The Speaker announced the following message from the Executive:

EXECUTIVE OFFICE,
Lansing, March 19, 1851. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to amend section 3 of an act to incorporate the National mining company;

An act to authorize the transfer of a certain record from Berrien county to Cass county.

JNO. S. BARRY.

Also the following communication from the Attorney General:

OFFICE OF THE ATTORNEY GENERAL, }
Lansing, March 19, 1851. }

To the Hon. the House of Representatives:

I have received a resolution adopted by the House of Representatives requesting my opinion as to the rate of interest to which counties are entitled after the first day of July in each year, who have returned a portion of their taxes for township and county purposes, as specified in section ninety-one, chapter twenty, title five of the revised statutes of eighteen hundred and forty-six.

By the section of the revised statutes referred to, the Auditor General is required to state the accounts of the several county treasurers on the first day of July in each year, allowing to the several counties ten per cent. on such portion of the taxes unpaid on the first day of February in the same year, as shall belong to them for township and county purposes. The statute is silent as to the rate of interest to be allowed after the first of July. The Auditor General is only required to allow interest at the rate of ten per cent. up to the time of the statement of the accounts; and he is restricted in the allowance, to such portion of the unpaid taxes, as belong to the counties, for the purposes above mentioned. The question must, therefore, be mainly determined by inquiring into the practical effect of the statement of accounts, which the Auditor General is required to transmit annually to the county clerks of the several counties. Upon a question analogous to this, which was referred to my predecessor during

the last session of the Legislature, the opinion was expressed, that the annual statement of the Auditor General was in the nature of a settlement, or liquidation of the accounts. After a careful examination, I see no reasons to dissent from that opinion. Such is the effect given to it in the practice of the office, and such is undoubtedly the intention of the statute. The statement of accounts exhibits an excess on the credit or debit side, with which the counties are credited, or charged on the books of the office. It thereafter becomes a liquidated debt, and the distinction between State, or county and township taxes, is merged in a general account. The excess exhibited by the statement, does not necessarily comprise the amount of taxes unpaid on the first day of February belonging to the county, for township and county purposes, subject to the rate of interest specified in the statute. The omission of the statute to fix the rate of interest after the first day of July, cannot therefore, be supplied by carrying the excess to the account of the following year, for the reason that it is not embraced in the description of taxes on which ten per cent. is to be allowed. Interest is only to be computed on such portions of the taxes unpaid on the first day of February as belong to the counties for township and county purposes. The provision cannot properly be said to embrace balances of the accounts of preceding years. Besides the statute is evidently intended to cover only the taxes for the year in which the statement is required to be made. The first of February, from which the interest is to be computed, can only be construed to refer to the February preceding the annual statement of accounts, as on that day interest becomes chargeable on all unpaid taxes.

The statute being silent as to the rate of interest after the first of July, I am of the opinion, therefore, that the Auditor General is not authorized to make any allowance beyond the legal rate of seven per cent.

WILLIAM HALE,
Attorney General.

Ordered laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Darling moved a reconsideration of the vote by which the report and bill, reported by the committee of ways and means to-day, were ordered laid on the table and printed.

But the motion did not prevail.

Mr. Church moved to take from the table the motion to reconsider the vote by which

The bill to amend an act entitled an act to authorize the sale of the Central Railroad and to incorporate the Michigan Central Railroad Company, approved March 28, 1846, and

The bill to amend an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846, were made the special order of the day for this day.

Agreed to.

The said vote was then reconsidered.

The question then being on making said bills the special order for to-day, the same was not agreed to.

Mr. Patterson offered the following resolution:

Resolved, That the Attorney General be and he is hereby requested to communicate to this House, at his earliest convenience, his opinion

1. Whether the Hon. H. M. Moore and Hon. Alanson Calkins, who hold seats on this floor as members, the first from the county of Montcalm, and the latter from the county of Tuscola, are, under the constitution and laws, entitled to the same. And

2. Whether laws passed by this Legislature, the passage of which should be induced by the votes of said gentlemen, or either of them, would be valid.

On motion of Mr. Turner, laid on the table.

Mr. Truesdell gave notice that on some future day he would ask leave to introduce a bill to add a new section to act No. 137 of the laws of 1849.

Mr. Wheeler offered the following resolution:

Resolved, (the Senate concurring,) That this Legislature will adjourn *sine die* on Saturday, the 5th day of April next, at 12 o'clock M.

Laid over one day under the rule.

Mr. J. B. Eaton gave notice that he would on some future day ask leave to introduce a bill to provide for constructing a bridge across the Grand river.

Mr. Kimberly, pursuant to previous notice, on leave, introduced,

A bill to vacate a part of the plat of Carey's addition to the village of Corunna.

Read a first and second time and referred to the committee on towns and counties.

Mr. Hyde moved to take from the table the motion to reconsider the vote by which the bill to amend an act entitled an act to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan, approved March 1, 1847, was lost.

Agreed to.

Said vote was reconsidered; when

Mr. Bacon asked and obtained the unanimous consent of the House to make the following amendments:

Add to the end of section 2, after the word "franchise," "not exceeding three thousand acres at any one time."

And the following as a substitute for section 3:

"This act shall take effect whenever the said company shall file their acceptance of the same in writing, signed by the President or a majority of the directors of said company, in the office of the Secretary of State; Provided, such acceptance shall be filed within six months from the passage of this act."

The bill was then passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gregory,
H. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Shook,
Smith,
Town,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

50

NAYS.

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Mr. Calkins gave notice that on some future day he would ask leave to introduce

A bill to set off a certain portion of Lapeer county laying between the counties of Tuscola and Genesee, and attach the same to Tuscola county.

Mr. Church offered the following resolution:

Resolved, That the committee on elections be instructed to report as soon as practicable, a bill providing for the election of one or more persons in each organized county, who may be vested with judicial powers not exceeding those of a judge of the circuit court at chambers.

Adopted.

THIRD READING OF BILLS.

A bill to regulate proceedings in attachment against foreign corporations, was taken up for a third reading, when

Mr. Truesdell asked and obtained the unanimous consent of the House to strike out the following amendment made thereto, viz:

“And in all cases brought by virtue of any law of this State authorizing proceedings against garnishees, if judgment be not rendered against said garnishee, he shall be entitled to the same fees as he would be if he were subpoenaed as a witness in such cause.”

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
D. L. Case,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,

52

NAYS.

Mr. Pierce,

Mr. Speaker,

2

The House then, by a vote of two-thirds of all the members elected thereto, directed that said act shall take effect immediately.

A bill to supply school districts with a certain book,

Was read a third time and lost by the following vote, a majority of the members elected not voting therefor:

YEAS

Mr. Bacon,	Mr. I. B. Eaton,	Mr. A. H. Moore,
Balcombe,	L. Eaton,	H. M. Moore,
Beecher,	Ferry,	Sexton,
Butterfield,	Fitch,	Shearer,
D. L. Case,	Fowler,	Sherwood,
S. M. Case,	Gregory,	Shook,
Darius Clark,	Hart,	Turner,
David Clark,	Hitchings,	Voorhies,
Clyburn,	Hyde,	P. D. Warner,
Covert,	Irvine,	Speaker,
Earl,	Martin,	

32

NAYS

Mr. Baldwin,	Mr. Gray,	Mr. Pierce,
Barnes,	Gulley,	Root,
Britain,	H. Hall,	Smith,
Chandler,	Hicks,	Stetson,
Childs,	Kimberly,	Truesdell,
Church,	Lawrence,	W. Warner,
Corbin,	Marvin,	Watkins,
Corrigan,	Minne,	Wheeler,
Crane,	Montgomery,	Yocum,
Crosman,	Patterson,	

29

Mr. Britain moved a reconsideration of the last vote.

Pending the question on which,

He moved to lay his motion on the table.

Agreed to.

GENERAL ORDER.

The House then resolved itself into committee of the whole on the general order,

Mr. P. D. Warner in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported back to the House the following bills and joint resolution:

A bill to amend sections 1, 3, 4 and 5 of an act entitled an act to incorporate the Kalamazoo and Grand River Railroad company, approved March 17, 1847;

A bill to amend section 3, chapter 130, title 24, of the revised statutes, relative to the foreclosure of mortgages by advertisement;

A bill to amend an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad company;

A bill to amend chapter 60, title 12 of the revised statutes;

A bill to amend sections 3, 4 and 5, of an act entitled an act to incorporate the Battle Creek and Grand Rapids Railroad company, approved May 14, 1846;

A bill for the relief of the several school districts in the township of Concord, county of Jackson;

A bill to establish the township line between the townships of Clinton and Harrison, in the county of Macomb;

Joint resolution relative to land sales in Ottawa county.

The seven first named without amendment, and the last named with amendments in which they asked the concurrence of the House, and to be discharged from the further consideration of said bills and joint resolution.

The report was accepted and the committee discharged.

On motion of Mr. Hyde,

The House adjourned.

Afternoon Session.

2½ o'clock, P. M.

The House was called to order by the Speaker.

The roll was called and the members answered to their names, except those excused on account of sickness.

PRESENTATION OF PETITIONS.

Mr. D. L. Case presented the petition of L. B. Brown and 95 others of Ionia county, and of D. M. Fox, A. L. Roof and 30 others, severally asking for legislative action on the subject of licenses and the liquor traffic.

Referred to the select committee on the license laws.

Mr. Patterson presented the remonstrance of Isaac Wixom and 50 others, against any change in the route of the Oakland and Ottawa Rail Road Company.

Referred to the committee of the whole.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Bacon moved that the resolution heretofore adopted by this

House, requiring the afternoon session to be devoted to the general order, be suspended for this P. M.

Agreed to.

UNFINISHED BUSINESS.

Under the order of unfinished business, the House then took up
A bill for the relief of the several school districts in the township of Concord, county of Jackson,

Reported back by committee of the whole.

The bill was then ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. Patterson,
Balcombe,	J. B. Eaton,	Pierce,
Baldwin,	L. Eaton,	Root,
Barnes,	Ferry,	Sexton,
Beecher,	Fitch,	Shearer,
Butterfield.	Fowler,	Sherwood,
D. L. Case,	Gulley,	Shook,
S. M. Case,	H. Hall,	Smith,
Childs,	Hicks,	Stetson,
Church,	Hitchings,	Truesdell,
Darius Clark,	Hubbell,	Turner,
David Clark,	Hyde,	Voorhies,
Clyburn,	Kimberly,	Waite,
Corbin,	Lawrence,	P. D. Warner,
Corrigan,	Martin,	W. Warner,
Covert,	Marvin,	Watkins,
Crane,	Minne,	Wheeler,
Crosman,	Montgomery,	Yocum,
Darling,	A. H. Moore,	Speaker, 57

NAYS.

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The House then directed by a vote of two-thirds of all the members elected, that the said act shall take effect immediately.

A bill to amend section 3, chapter 130, title 24 of the revised statutes, relative to the foreclosure of mortgages by advertisement,

Reported back by committee of the whole without amendment, was ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Crosman,	Mr. A. H. Moore,
Balcombe,	Darling,	H. M. Moore,
Baldwin,	Earl,	Patterson,

Barnes,	J. B. Eaton,	Pierce,	
Beecher,	L. Eaton,	Root,	
Butterfield,	Ferry,	Sexton,	
Calkins,	Fitch,	Shearer,	
D. L. Case,	Fowler,	Sherwood,	
S. M. Case,	Gray,	Shook,	
Chandler,	Gulley,	Smith,	
Childs,	H. Hall,	Turner,	
Church,	Hicks,	Voorhies,	
Darius Clark,	Hitchings,	Waite,	
David Clark,	Hubbell,	P. D. Warner,	
Clyburn,	Hyde,	W. Warner,	
Corbin,	Lawrence,	Watkins,	
Corrigan,	Martin,	Wheeler,	
Covert,	Marvin,	Yocum,	
Crane,	Minne,	Speaker,	57
	NAYS.		0

A bill to amend chapter 20 of revised statutes of 1846;

Reported back by committee of the whole without amendment, was ordered to a third reading, was so read and passed by the following vote:

YEAS.			
Mr. Bacon,	Mr. Crane,	Mr. Minne,	
Balcombe,	Earl,	Montgomery,	
Baldwin,	J. B. Eaton,	A. H. Moore,	
Barnes,	L. Eaton,	H. M. Moore,	
Beecher,	Ferry,	Patterson,	
Butterfield,	Fitch,	Sexton,	
D. L. Case,	Gulley,	Shearer,	
S. M. Case,	H. Hall,	Sherwood,	
Chandler,	Hart,	Shook,	
Childs,	Hicks,	Turner,	
Church,	Hitchings,	Voorhies,	
Darius Clark,	Hubbell,	Waite,	
David Clark,	Hyde,	P. D. Warner,	
Clyburn,	Irvine,	Wheeler,	
Corbin,	Kimberly,	Yocum,	
Corrigan,	Lawrence,	Speaker,	51
Covert,	Martin,		
	NAYS.		0

A bill to amend sections 1, 3, 4 and 5 of an act entitled an act to incorporate the Kalamazoo and Grand River railroad company, approved March 17, 1847,

Reported back by committee of the whole without amendment, was

ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Beecher,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Darius Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchins,
Hubbell,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

52

0

NAYS.

A bill to amend an act entitled an act to incorporate the Port Huron and Lake Michigan railroad company, reported back by committee of the whole without amendment, was ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

60

NAYS.

0

Mr. Hart then moved to amend the title by inserting after the word "amend," the words "section 4 of," and add after the word "company," the words "approved January 30, 1847."

Agreed to.

A bill to establish the township line between the townships of Clinton and Harrison, in the county of Macomb,

Reported back by committee of the whole without amendment, was ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. L. Eaton,	Mr. H. M. Moore,
Balcombe,	Ferry,	Patterson
Baldwin,	Fitch,	Pierce,
Barnes,	Fowler,	Root,
Beecher,	Gray,	Sexton,
Butterfield,	Gregory,	Shearer,
Calkins,	Gulley,	Sherwood,
D. L. Case,	H. Hall,	Smith,
S. M. Case,	Hart,	Stetson,
Chandler,	Hicks,	Truesdell,
Childs,	Hitchings,	Turner,
Darius Clark,	Hubbell,	Voorhies,
David Clark,	Kimberly,	Waite,
Clyburn,	Lawrence,	P. D. Warner,
Corbin,	Martin,	W. Warner,
Corrigan,	Marvin,	Watkins,
Crane,	Montgomery,	Yocum,
Darling,	A. H. Moore,	Speaker,
J. B. Eaton,		

55

NAYS.

0

A bill to amend sections 3, 4 and 5 of an act entitled an act to incorporate the Battle Creek and Grand Rapids railroad company, approved May 14, 1846;

Reported back by committee of the whole without amendment, was ordered to a third reading, was so read and passed, as follows:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. Patterson,
Balcombe,	L. Eaton,	Pierce,
Baldwin,	Ferry,	Root,
Barnes,	Fitch,	Sexton,
Beecher,	Fowler,	Shearer,
Butterfield,	Gray,	Sherwood,
Calkins,	Gulley,	Shook,
D. L. Case,	H. Hall,	Smith,

S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Darling,

Hart,
Hicks,
Hubbell,
Hyde,
Kimberly,,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Stetson,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker, 57

NAYS.

0

Joint resolutions relative to land sales in Ottawa county, was taken up; and the question being on concurring in the amendments of the committee of the whole, the same were concurred in.

The joint resolutions were then ordered to a third reading, were so read and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnea,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Corrigan,
Covert,
Crane,
Darling,
Earl,
J. B. Eaton,
L. Eaton,

Mr. Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Voorhies,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

58

NAYS.

0

On motion of Mr. Ferry,

The title was then amended so as to read: "An act relative to land sales in Ottawa county."

The House then, by a vote of two-thirds of all the members elected, directed that said act take immediate effect.

The House then resolved itself into committee of the whole on the general order,

Mr. Kimberly in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back

1. A bill to amend sections 25 and 26 of chapter 123, title 24 of the revised statutes of 1846, concerning proceedings to recover the possession of land in certain cases;

2. A bill to organize the township of Lebanon, in the county of Allegan;

3. A bill to provide for taking the census and statistics of this State;

4. A bill to amend an act entitled an act to incorporate the Grand River Valley Railroad Company, approved May 4th, 1846, and an act amendatory thereto, approved March 7, 1847, and

5. A bill to amend an act for the relief of Thomas N. Bartlett;

The first with amendment, and the second, third, fourth and fifth without amendment, asked the concurrence of the House in the amendment, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged.

Mr. Hyde moved that the House adjourn.

Lost.

The question then being on concurring in the amendment of the committee of the whole, which was as follows, viz:

Strike out of section 26, line 2, the word "five," and insert "ten,"

The same was non-concurred in.

Mr. Britain then offered the following amendments:

Section 25, line 6, strike out "by a defendant."

Line 7, strike out "he," and insert "the appellant."

Adopted.

Mr. P. D. Warner then moved to lay the bill on the table.

Lost.

The question was then taken on ordering the bill to be engrossed for a third reading, and the same was not agreed to.

The second named was order engrossed for a third reading.

Mr. Ferry moved that the third named be recommitted to the committee of the whole.

Mr. Hubball moved that it be laid on the table.

Lost.

The question was then taken on the motion of Mr. Ferry, and it prevailed.

The fourth named was ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. A. H. Moore,	
Baldwin,	L. Eaton,	H. M. Moore,	
Barnee,	Ferry,	Patterson,	
Butterfield,	Fitch,	Pierce,	
Calkins,	Fowler,	Root,	
D. L. Case,	Gray,	Sexton,	
S. M. Case,	Gregory,	Shearer,	
Chandler,	Gulley,	Sherwood,	
Childs,	H. Hall,	Shook,	
Church,	Hart,	Smith,	
Darius Clark,	Hicks,	Truesdell,	
David Clark,	Hitchings,	Turner,	
Clyburn,	Hubbell,	Voorhies,	
Corbin,	Hyde,	Waite,	
Corrigan,	Kimberly,	P. D. Warner,	
Covert,	Lawrence,	W. Warner,	
Crane,	Martin,	Watkins,	
Crosman,	Marvin,	Wheeler,	
Darling,	Minne,	Yocum,	
Earl,	Montgomery,	Speaker,	60
	NAYS.		0

The fifth named bill was ordered engrossed for a third reading.

On motion of Mr. Truesdell,

The House adjourned.

Lansing, Friday, March 21, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called and the members were all present except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then approved.

REPORTS.

Mr. P. D. Warner submitted the following report:

The committee on elections, who were instructed by a resolution of the House under date of March 20, "to report as soon as practicable a bill providing for the election of one or more persons in each organized county, who may be vested with judicial powers not exceeding those of a judge of the circuit court at chambers, have had the same under consideration, and directed me as their chairman to report a bill providing for such election, and ask to be discharged from the further consideration of the subject.

P. D. WARNER, Ch'n.

The report was accepted, the committee discharged, the bill read a first and second time, referred to committee of the whole and placed on the general order.

Mr. Church, from the committee on the judiciary, to whom was referred

A bill relative to the publication of statements of lands to be sold for taxes in Cass county in 1851,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged and the bill referred to the committee of the whole and placed on the general order.

Mr. Britain, from the committee of ways and means, reported

A bill to provide for assessing property at its true value, and for levying and collecting taxes thereon, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read a first and second time, referred to the committee of the whole and placed on the general order.

MESSAGES.

The Speaker announced the following communication from the Secretary of State:

OFFICE OF THE SECRETARY OF STATE, }
 Lansing, March 20, 1851. }

TO THE HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

SIR—I have the honor to transmit herewith the annual report of the Board of State Auditors, as required by law.

Very respectfully yours,

C. H. TAYLOR,

Secretary of State.

Referred to committee of ways and means.

Also, the following from the Senate:

SENATE CHAMBER, }
 Lansing, March 20, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit herewith,

A joint resolution authorizing the Auditor General to draw and deliver to John Snow a land warrant in the place of warrants which have been lost,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

Secretary of the Senate.

Read a first and second time and referred to the committee of the whole.

Also the following:

SENATE CHAMBER, }
 Lansing, March 20, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

1. A bill to amend an act entitled an act to incorporate the Phenix Copper Company, approved March 31, 1849;

2. A bill to amend an act entitled an act to incorporate the New York and Michigan Mining Company of Detroit, approved March 30, 1848, and

3. A bill to amend section 3 of an act entitled an act to incorporate the Albion mining company, approved March 27, 1848,

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect, with amendments, in each of which the concurrence of the House is respectfully asked.

Also to transmit,

4. A bill to amend section 1 of an act to authorize F. G. Hubinger and A. Cramer to erect and maintain a dam across the Cass river, Saginaw county, approved March 20, 1848, and

5. A joint resolution authorizing the Auditor General to draw certain warrants in place of warrants which have been lost,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

Very Respectfully,

O. W. MOORE,

Secretary Senate.

The amendments to the three first named, were concurred in and the bills as amended, ordered enrolled.

The fourth was read a first and second time and referred to the judiciary committee.

The fifth was read twice and referred to committee of ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Balcombe, pursuant to previous notice, on leave, introduced a bill to amend an act entitled an act to incorporate the village of Battle Creek.

Read a first and second time and ordered laid on the table and printed.

Mr. Crane moved that the memorial of the committee of the directors of the Erie and Kalamazoo Rail Road Company be referred to the committee on banks and incorporations.

Which prevailed.

Pursuant to previous notice,

Mr. Truesdell asked and obtained leave to introduce a bill supplementary to an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849.

Read a first and second time and referred to the judiciary committee.

On motion of Mr. Hart,

The bill to provide for the incorporation of individuals and associations of persons for the purposes of banking, was taken from the table.

And the question being on the final passage thereof,

After some remarks by Mr. Fitch,

Mr. D. L. Case moved that the bill be recommitted to the committee on banks and incorporations, with instructions to make certain amendments there to to correspond, and to report forthwith.

Agreed to by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
D. L. Case,
Chandler,
Childs,
Church,
Clyburn,
Corbin,
Corrigan,
Crosman,

Mr. Darling,
J. B. Eaton,
Ferry,
Gray,
H. Hall,
Hyde,
Irvine,
Kimberly,
Minne,
Montgomery,
H. M. Moore,

Mr. Pierce,
Root,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker,

34

NAYS.

Mr. Balcombe,
Britain,
Butterfield,
S. M. Case,
Darius Clark,
David Clark,
Covert,
Crane,
Earl,

Mr. L. Eaton,
Fitch,
Fowler,
Gregory,
Gulley,
Hart,
Hicks,
Hubbell,
Lawrence,

Mr. Martin,
Marvin,
A. H. Moore,
Sexton,
Shearer,
Sherwood,
W. Warner,
Wheeler,
Yocum,

27

Mr. Church moved that House bills Nos. 13 and 14 be made the special order for Tuesday next, at half-past 2 o'clock P. M.

Agreed to.

On motion of Mr. Turner,

A bill directing the publication of a statement of lands to be sold in Clinton county in 1851, was taken from the table.

And the question being on ordering the bill engrossed for a third reading,

Mr. David Clark offered the following amendment thereto:

Amend the second line by inserting after the word "sold," the words "for taxes."

Adopted.

The bill was then ordered engrossed for a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Darling,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
H. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Speaker,

55

NAYS.

Mr. Yocum,

1

The House then, by a vote of two-thirds of all the member elect, directed that said act shall take effect immediately.

On motion of Mr. David Clark,

The title was amended by inserting after the word "sold," the words "for taxes."

Mr. D. L. Case, from the committee on banks and incorporations, to whom was referred

The bill to provide for the incorporation of individuals and associations of persons, for the purpose of banking,

Reported the same back amended as instructed, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. D. L. Case then moved the previous question.

Which was demanded.

And the question being, "shall the main question be now put?" it was decided affirmatively.

The main question being, "shall the bill pass?" it was decided in the negative, as follows:

YEAS

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Calkins,
D. L. Case,
Chandler,
Church,
Clyburn,
Corbin,
Crane,

Mr. Crosman,
Earl,
J. B. Eaton,
Ferry,
Gray,
Gregory,
H. Hall,
Hart,
Hyde,
Irvine,
Kimberly,

Mr. Minne,
Montgomery,
H. M. Moore,
Root,
Shook,
Truesdell,
Turner,
Waite.
Watkins,
Speaker,

32

NAYS

Mr. Balcombe,
Britain,
Butterfield,
S. M. Case,
Childs,
Darius Clark,
David Clark,
Corrigan,
Covert,
Darling,
L. Eaton,

Mr. Fitch,
Fowler,
Gulley,
Hicks,
Hitchings,
Hubbell,
Lawrence,
Martin,
Marvin,
A. H. Moore,
Patterson,

Mr. Pierce,
Sexton,
Shearer,
Sherwood,
Smith,
Statson,
Voorhies,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,

33

On motion of Mr. Hart,

The committee of the whole were discharged from further consideration of the bill to apportion anew the Representatives among the several counties and districts of this State.

Mr. Irvine moved to lay on the table and print.

Lost.

Mr. J. B. Eaton moved to recommit to the committee on State affairs, with instructions to strike out "4,500," and insert "5,500."

Mr. Fowler moved to amend by filling with "5,000."

Lost.

Mr. Pierce moved to recommit the bill, with instructions to make the ratio of apportionment 7,000, and also one member on the fraction to the counties of Oakland, St. Clair and Hillsdale.

After some debate,

Mr. Darling moved the previous question.

Lost.

Mr. Hart moved to amend the amendment of Mr. Pieren by striking out all after "7,000."

Which prevailed.

The question was then taken on the amendment as amended.

Lost.

The question recurring on Mr. J. B. Eaton's motion,

Pending which,

Mr. Darius Clark offered the following amendment:

To recommit and insert "five thousand, and all counties having a fraction of two thousand, one additional member."

Lost by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Barnes,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Darius Clark,
David Clark,
Earl,

Mr. J. B. Eaton,
Ferry,
Fowler,
Kimberly,
Lawrence,
Marvin,
Minne,
A. H. Moore,
Pierce,
Sexton,

Mr. Shook,
Smith,
Stetson,
Truesdell,
Turner,
W. Warner,
Wheeler,
Yocum,
Speaker,

29

NAYS.

Mr. Bacon,
Beecher,
Britain,
Butterfield,
Childs,
Church,
Clyburn,
Corrigan,
Covert,
Darling,
L. Eaton,

Mr. Fitch,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,

Mr. Martin,
Montgomery,
H. M. Moore,
Patterson,
Root,
Shearer,
Sherwood,
Voorhies,
Waite,
P. D. Warner,

31

The question again recurring on the motion of Mr. J. B. Eaton,

Pending which,

Mr. Irvine moved to strike out "Omeena and Leelanaw," in 19th line.

After some debate,

Mr. Crosman moved the previous question.

Which was demanded.

And the question being then taken, "Shall the main question be now put?"

The same was agreed to.

The question being then taken on the motion of Mr. Irvine, the same prevailed.

The question then being on the motion of Mr. J. B. Eaton, as amended,

Mr. Britain called for a division thereof.

Which was ordered.

The question being first taken on the instructions, the motion to fill with \$,500 did not prevail by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Barnea,
Childs,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,

Mr. Darling,
J. B. Eaton,
Fitch,
Kimberly,
Marvin,
Minne,
H. M. Moore,
Pierce,
Sexton,

Mr. Sherwood,
Smith,
Truesdell,
Turner,
W. Warner,
Watkins,
Yocum,
Speaker,

26

NAYS.

Mr. Bacon,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
Covert,
Earl,
L. Eaton,

Mr. Ferry,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Lawrence,

Mr. Martin,
Montgomery,
A. H. Moore,
Patterson,
Root,
Shearer,
Shook,
Statson,
Voorhies,
Waite,
P. D. Warner,
Wheeler,

37

Mr. Charch then called for a division of the question on recommending and instructing.

Agreed to.

And the question being first taken on recommending,

The House refused to recommit.

Mr. Irvine then offered the following amendment:

Strike out "Omeena and Leelanaw," in line 19.

Adopted.

Mr. Irvine then offered the following amendment:

After "Mackinac," in line 3, insert "shall be entitled to one Representative."

Agreed to.

Mr. Fowler then moved to amend the bill by striking out "4,500" and inserting "4,999."

A division of the question was demanded and ordered.

And the question being first taken on striking out "4,500," the same was agreed to as follows:

YEAS.

Mr. Baldwin,
Barnes,
Calkins,
S. M. Case,
Chandler,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,

Mr. Earl,
J. B. Eaton,
Fowler,
Hitchings,
Marvin,
Minne,
H. M. Moore,
Pierce,
Sexton,
Sherwood,
Shook,

Mr. Smith,
Stetson,
Truesdell,
Turner,
Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

32

NAYS.

Mr. Bacon,
Beecher,
Brinain,
Butterfield,
D. L. Case,
Childs,
Church,
Covert,
Croaman,
L. Eaton,
Ferry,

Mr. Fitch,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,

Mr. Kimberly,
Lawrence,
Martin,
Montgomery,
A. H. Moore,
Patterson,
Root,
Shearer,
Voorhies,
P. D. Warner,

31

Mr. Gregory then moved to fill the blank with "6,450."

Mr. Chandler to fill with "5,000."

Mr. Ferry to fill with "7,000."

Mr. Hart to fill with "4,501."

Mr. Fitch to fill with "6,000."

Mr. D. P. Warner to fill with "6,500."

Mr. Beecher to fill with "4,800."

Mr. Wait moved a reconsideration of the vote by which "4,000" was stricken out of the bill.

Lost, as follows:

YEAS.

Mr. Bacon,	Mr. Fitch,	Mr. Lawrence,
Balcombe,	Gray,	Martin,
Beecher,	Gregory,	Montgomery,
Britain,	Galley,	A. H. Moore,
Butterfield,	H. Hall,	Patterson,
Church,	Hart,	Shearer,
Darius Clark,	Hyde,	Voorhies,
Covert,	Hicks,	Waite,
L. Eaton,	Irvine,	P. D. Warner,
Ferry,		28

NAYS.

Mr. Baldwin,	Mr. Earl,	Mr. Sherwood,
Barnes,	J. B. Eaton,	Shook,
Calkins,	Fowler,	Smith,
D. L. Case,	Hitchings,	Stetson,
Chandler,	Kimberly,	Truesdell,
David Clark,	Marvin,	Turner,
Clyburn,	Minne,	W. Warner,
Corbin,	H. M. Moore,	Watkins,
Corrigan,	Pierce,	Wheeler,
Crane,	Root,	Yocum,
Crosman,	Sexton,	Speaker,
		33

Mr. Root moved that the House adjourn.

Lost.

The question was then taken on the motion to fill the blank with "7,000."

Lost.

Mr. Hart moved that the House adjourn.

Lost.

The question was then taken on the motion to fill the blank with "6,500."

Lost.

Mr. Hart moved that the House adjourn.

Lost.

Mr. Butterfield moved a reconsideration of the vote by which the House refused to fill the blank with "7,000."

Mr. Butterfield then moved to lay his motion on the table.

Lost.

Mr. Hart moved that the House adjourn.

Lost.

Mr. Hart then moved a call of the House.

Call not ordered.

Mr. Hart moved that the House adjourn.

This same was agreed to.

Afternoon Session.

Half-past two o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and the members present as in the morning.

GENERAL ORDER.

The House then resolved itself into committee of the whole on the general order,

Mr. Hart in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back to the House the following entitled bills:

A bill to amend chap. 107, title 22, of an act entitled an act for revising and consolidating the general statutes of the State of Michigan, approved May 18, 1846, of provisions concerning actions and proceedings in certain cases;

A bill to provide for taking the census and statistics of the State for the year 1854, and every ten years thereafter;

A bill to amend an act entitled an act to provide for organizing an active militia and for other purposes, approved May 18th, 1846.

The two last named with amendments in which they asked the concurrence of the House, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged.

The first named was ordered to be engrossed for a third reading.

The question being on concurring in the amendments of the committee of the whole to the second named,

Pending which, by unanimous consent of the House,

Mr. Hyde offered the following resolution:

Resolved, That the use of this Hall be given to Wm. H. Coyle, Esq., of Detroit, for the purpose of delivering a lecture on temperance, on Saturday evening next.

Adopted.

On motion of Mr Hart,

The House adjourned.

Lansing, Saturday, March 22, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called and the members answered to their names, except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then approved.

PRESENTATION OF PETITIONS.

Mr. Hubbell presented the petition of James G. Birney, Wm. B. Fitzhugh, James Watson, and 225 others, citizens of the townships of Hampton, Midland, Tuscola, Vienna and parts adjacent, in the counties of Saginaw, Tuscola and Genesee, praying for a charter for the construction of a plank road from any point in the village of Lower Saginaw, on the most eligible route near to or at the village of Pine Run in Genesee county.

Referred to committee of the whole.

Mr. Gregory: of George W. Mallory and 26 others, and of S. E. Hildreth and 18 others, citizens of Hilledale county, asking for the enactment of a law whereby all medical graduates from chartered colleges of medicine in the United States, may be admitted to all privileges of the medical department of the University of Michigan without the payment of any initiation or matriculation fee.

Referred to judiciary committee.

Mr. Gulley: the petition of Adney Merritt and 30 others, to abolish the board of county auditors in the county of Wayne.

Referred to the judiciary committee.

Mr. Butterfield: the petitions of Jacob Messinger and 8 others, and of A. H. Boode and 62 others, asking a law to prevent the sale of intoxicating drinks.

Referred to select committee on license laws.

Mr. Butterfield: the petition of Robert Merrifield and 95 others, citizens of Niles township, asking for the reduction of unsold university lands in Niles township.

Referred to the committee on public lands.

Mr. Butterfield: the petition of Orson B. Willard, for payment of expenses incurred under a requisition of the Governor of this State on the Governor of the State of Illinois.

Referred to the judiciary committee.

Mr. Sherwood: the petition of Asa Kingsbury and 45 others, of Cass county, for the passage of the general railroad law now before this body, with a provision authorizing the existing railroad companies to subscribe stock to such association as may be created by said act.

Referred to committee of the whole.

Mr. Stetson: the petition of W. C. Wilkins, E. G. Reed and 95 others, electors of the township of Richland, asking a reduction in the price of university lands.

Referred to the committee on public lands.

Mr. Hyde: the petition of Wm. Woodridge, J. A. Howard, H. P. Baldwin and other citizens of Detroit, for the establishment of a professorship of homœopathy in the University of this State.

Referred to committee on the judiciary.

Mr. Hyde also presented the petition of Sylvester Earned, James A. Van Dyke, S. P. Brady and 130 others, citizens of Wayne Co., praying for the passage of a law prohibiting the killing of game, during certain seasons of the year, in said county.

Referred to the committee on agriculture and manufactures.

Mr. Minne: of M. S. Gillett and 30 others of Port Huron, St. Clair county, asking for a law to prohibit the sale of intoxicating liquors.

Referred to select committee on license laws.

Mr. Shearer: of James Fisher, Wm. P. Griffin and J. C. Hanly and 38 others of Bedford, Wayne county; and of F. P. Mathews, J.

Hawks and 87 others of Wayne county, praying for an alteration in the license laws.

Referred to select committee on license laws.

Mr. Britain: of W. B. Beeson and 56 others, citizens of Niles, asking a law authorizing the judges of the circuit court, county court and courts of probate to hold their respective courts at any place in Berrien county, on the application of the parties to any suit now or hereafter pending in such courts, or their attorneys, and requiring all the business of said term of such courts to be done at the place so ordered.

Referred to committee on the judiciary.

REPORTS.

Mr. Shook submitted the following report:

The committee on public lands, to whom was referred Senate joint resolution relative to primary school lands, have had the same under consideration, report the same back without amendment; and

Also the petition of Enos Dailey, relative to claim to salt spring lands in the town of Saline, in the county of washtenaw, and report a joint resolution, recommend their passage, and ask to be discharged from their further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, and the joint resolutions severally referred to the committee of the whole and placed on the general order.

Mr. Britain submitted the following report:

The committee of ways and means, to whom was referred the petition of Robert M. Collins, asking compensation for services rendered the State as recruiting officer for the Michigan Regiment, have instructed me to report the same back to the House, and ask to be discharged from its further consideration.

C. BRITAIN, Ch'n.

The same committee, to whom was referred the petition of Joel Burgess, asking remuneration for property illegally destroyed, while he was deprived of his liberty under process of the State, have instructed me to report the same back to the House, and ask that the committee be discharged from its further consideration.

C. BRITAIN, Ch'n.

The report was accepted, the committee discharged, and the petitions severally ordered laid on the table.

Mr. Pierce, from the committee of ways and means, submitted the following report:

A bill authorizing the board of State Auditors to examine and settle the claim of Knowlton S. Pettibone, for services as surveyor upon the State road from Barry county to Grand Rapids, was referred to the committee of ways and means. The committee have had said bill under consideration, and find said State road was laid out by authority of an act of the Legislature, passed March the 12th, 1845: pp. 26, 27, 28. Section 12 provides that in laying out and working said road, the State shall in no instance be liable for any excess or damage incurred thereby.

The committee of ways and means have instructed me to report the bill back to the House and recommend that it should not pass, and ask to be discharged from its further consideration.

N. PIERCE.

The report was accepted, the committee discharged and the bill ordered laid on the table.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

Bill to amend section 2 of an act entitled an act to incorporate the New York and Michigan Mining Company of Detroit, approved March 30, 1848;

Bill to amend section 3 of an act entitled an act to incorporate the Albion Mining Company, approved March 27, 1848;

Bill to amend sec. 2 of an act entitled an act to incorporate the Phoenix Copper Company, approved March 31, 1849;

A bill to amend section 58 of an act entitled an act to incorporate the city of Grand Rapids, approved April 2, 1850.

Mr. Church, from the judiciary committee, to which was referred

A bill to amend sections 1 and 2 of an act to authorize F. G. Hubinger and A. Cramer, to erect and maintain a dam across the Cass river, Saginaw county, approved March 20, 1848,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged, and

On motion of Mr. Church,

The bill was ordered laid on the table.

The Speaker announced the following message from the Executive:

EXECUTIVE OFFICE, }
Lansing, March 21, 1851. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the issuing of a patent to Chauncy G. Pope and Thomas L. Pope, for certain lands;

An act supplementary to acts incorporating the city of Detroit;

An act to change the boundary between the townships of Palmyra and Ogden, in the county of Lenawee.

An act authorizing the Auditor General to publish certain tax sales in the Barry County Pioneer.

JNO. S. BARRY.

Also the following from the Senate:

SENATE CHAMBER, }
Lansing, March 21, 1851. }

To the Speaker of the House of Representatives:

SIR:—I am instructed to return herewith,

1. A bill to amend an act entitled an act to amend an act entitled an act to incorporate the city of Monroe, and certain acts amendatory thereto, approved March 30, 1849;

2. A bill to amend an act entitled an act to construct dams and improve the navigation of certain rivers, approved March 24, 1836;

3. A bill to amend section 58 of an act to incorporate the city of Grand Rapids, approved April 2, 1850;

4. Joint resolution for the relief of Gardner Kellogg, and others;

And to inform you that the Senate have concurred therein, the three first named, by a vote of two-thirds of all the Senators elect, with amendments to the two first named, in which the concurrence of the House is respectfully asked, and have ordered the last named to take immediate effect by a vote of two-thirds of all the Senators elect.

Also to transmit,

5. A bill to authorize the formation of corporations for mining, smelting or manufacturing iron, copper or silver ores; and

6. A bill to amend an act entitled an act to incorporate the Detroit Lake and St. Clair plank road company;

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Sec'y of Senate.

The several Senate amendments to the first named were concurred in, and the bill as amended ordered enrolled.

The 2d, 3d and 4th were severally ordered enrolled, the amendments to the 2d being concurred in.

The 5th and 6th were severally twice read and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hitchings moved to reconsider the vote by which the bill to provide for the incorporation of individuals and associations of persons for the purposes of banking, was lost.

Mr. J. B. Eaton moved to lay the motion on the table.

Lost, as follows:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
D. L. Case,
Chandler,
Church,
Clyburn,
Corbin,
Crane,
Crosman,

Mr. Darling,
Earl,
J. B. Eaton,
Ferry,
Gray,
Gregory,
H. Hall,
Hart,
Hitchings,
Hyde,
Irvine,

Mr. Kimberly,
Minne,
Montgomery,
H. M. Moore,
Root,
Shook,
Truesdell,
Turner,
Waite,
Watkins,
Speaker,

33

NAYS.

Mr. Balcombe,
Britain,
Butterfield,
Calkins,
S. M. Case,
Childs,

Mr. Fitch,
Fowler,
Gullev,
S. C. Hall,
Hicks,
Hubbell,

Mr. Pierce,
Sexton,
Shearer,
Sherwood,
Smith,
Stetson,

Darius Clark,
David Clark,
Corrigan,
Covert,
L. Eaton,

Lawrence,
Martin,
Marvin,
A. H. Moore,
Patterson,

Voorhies,
P. D. Warner,
W. Warner,
Wheeler,
Yocum, 33

Mr. Balcombe offered the following resolution:

Resolved, That the judiciary committee be and they are hereby instructed to so amend chapter 36 of the revised statutes as to prohibit any person from commencing the practice of medicine or surgery in this State after the 4th day of July next, unless such person has been licensed to do so by some person or institution legally authorized to grant such license. And that said chapter or a part thereof so amended, be reported for the consideration of the House at this session. Adopted.

Mr. Fowler moved that the committee on banks and incorporations, to whom was committed the bill to provide for taxing foreign incorporations, be instructed to report the same forthwith back to the House.

Agreed to.

Mr. Shearer moved a reconsideration of the vote by which the joint resolution for the relief of Eneas Daly was laid on the table.

Agreed to.

The joint resolutions were then ordered to a third reading, were so read and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Becher,
Britain,
Calkins,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,

Darling,
Earl,
J. B. Eaton,

Marvin,
Minne,
Montgomery,

Wheeler,
Yocum,

59

NAYS.

Mr. Speaker,

1

Mr. Turner moved to take from the table the bill to amend an act entitled an act to act to authorize F. G. Hubinger and A. Cramer to erect a dam across Cass River, in the county of Saginaw, approved March 20, 1848.

Agreed to.

The bill was then ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain.
Butterfield.
D. L. Case,
S. M. Case,
Chandler,
Church,
Corbin,
Corrigan,
Covert,
Crane,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hicka,
Hubbell,
Irvine,
Lawrence,
Martin.
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Root,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Turner,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

50

NAYS.

Mr. Pierce,

1

Mr. Britain moved to take from the table the motion to reconsider the vote by which was lost the bill to provide for supplying school districts with certain books.

The motion to reconsider then prevailed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield.
Calkins,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gregory,

Mr. Marvin,
A. H. Moore,
H. M. Moore,
Patterson
Sexton,
Shearer,

D. L. Case,
S. M. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Corrigan,
Covert,

Gulley,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Martin,

Sherwood,
Stetson,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker,

41

NAYS.

Mr. Baldwin,
Barnes,
Chandler,
Childs,
Corbin,
Crane,
Croswan,
Darling,

Fowler,
Gray,
H. Hall,
Hicks,
Kimberly,
Lawrence,
Montgomery,
Pierce,

Root,
Shook,
Smith,
Truesdell,
W. Warner,
Watkins,
Yocum,
Wheeler,

24

Mr. Hubbell then moved to recommit the bill to the committee on education, with instructions to strike out of section 1, all after the word "copy," and insert in lieu thereof the following: "three copies of the book called Political Landmarks for each organized township in this State, to be forwarded as soon as practicable to the township clerks for the use of the school libraries in said townships."

Mr. Kimberly moved to amend the instructions by inserting the word "one," instead of "three;" so that the number of books to each township clerk will be "one" instead of three..

Lost by the following vote:

YEAS.

Mr. Baldwin,
Barnes,
Britain,
Childs,
Church,
Corbin,
Corrigan,
Crane,
Darling,

Mr. Ferry,
H. Hall,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,
H. M. Moore,
Pierce,

Mr. Root,
Shearer,
Smith,
Stetson,
Truesdell,
W. Warner,
Watkins,
Wheeler,
Yocum.

27

NAYS.

Mr. Bacon,
Balcombe,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,

Mr. J. B. Eaton,
L. Eaton,
Fitch,
Fowler,
Gray,
Gregory,

Mr. Hyde,
Irvine,
Martin,
A. H. Moore,
Patterson,
Saxon,

Chandler,
Darius Clark,
David Clark,
Clyburn,
Covert,
Croaman,
Earl,

Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,

Sherwood,
Shook,
Turner,
Voorhies,
P. D. Warner,
Speaker,

37

Mr. Minne moved to amend by striking out "three" and inserting "two."

Lost.

The question was then taken on the motion of Mr. Hubbell, and the same prevailed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield,
S. M. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Earl,
J. B. Eaton.

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,

Mr. Martin,
A. H. Moore,
H. M. Moore,
Patterson,
Sexton,
Shearer,
Sherwood,
Turner,
Voorhies,
P. D. Warner,
Speaker,

34

NAYS.

Mr. Baldwin,
Barnes,
D. L. Case,
Chandler,
Childs,
Corbin,
Corrigan,
Crane,
Croaman,

Mr. Gulley,
H. Hall,
Hicks,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,

Mr. Pierce,
Root,
Smith,
Stetson,
Truesdell,
W. Warner,
Watkins,
Wheeler,

25

Mr. Hubbell moved to discharge the committee of the whole from the further consideration of

A joint resolution authorizing the Auditor General to draw and deliver to John Snow a land warrant in the place of warrants which have been lost.

Agreed to.

The joint resolutions were then ordered to be read the third time, were so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Coyert,
Crane,
Crosman,
Darling,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,

Mr. Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sherwood,
Stetson,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

59

NAYS.

0

The House then, by a vote of two-thirds of all the members elected, directed that said joint resolutions take effect immediately.

Mr. Hart, pursuant to previous notice, asked and obtained leave to introduce a bill to prevent the circulation of foreign notes.

Read a first and second time, and referred to the committee on banks and incorporations.

By unanimous consent,

Mr. Crane introduced a bill in relation to the Erie and Kalamazoo railroad company.

Read a first and second time, and referred to committee on banks and incorporations.

On motion of Mr. A. H. Moore,

A bill to provide for the appraisal and to reduce the minimum price of University lands;

Was taken from the table, referred to the committee of the whole and placed on the general order.

Mr. Church moved that

A bill conferring additional powers upon judges of probate and providing for the administration of the estates of deceased persons; and

A bill to amend sections 44, 46 and 47 of chapter 12 of the revised statutes of 1846, relative to the board of State auditors;

Severally laid upon the table and ordered printed on the 20th inst.; and

A bill to provide for filling vacancies that exist or may occur in certain judicial offices;

Laid on the table and ordered printed on the 19th inst., be taken therefrom and referred to the committee of the whole.

Agreed to.

Mr. Bacon moved to take from the table the motion to reconsider the vote by which was lost

A bill to amend section 2 of an act entitled an act to incorporate the Michigan Mining Company, approved March 30, 1848.

Which motion prevailed.

Mr. Bacon then asked and obtained the unanimous consent of the House to offer the following amendments thereto, to wit:

Add to section 2: "No such corporation shall be permitted to purchase or hold any real estate except such as shall be necessary for the exercise of its corporate franchises, not exceeding three thousand acres at any one time."

Substitute for section 3:

"This act shall take effect whenever the said company shall file their acceptance of the same in writing, signed by the President or a majority of the directors of said company, in the office of the Secretary of State; Provided, such acceptance shall be filed within six months from the passage of this act."

Which amendments were adopted.

The bill was then passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnea,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,

Mr. Marvin,
Minne,
Montgomery,
A. H. Moore,
Patterson,
Root,
Shearer,
Sherwood,
Shook,
Truesdell,

Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,

Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker,

59.

NAYS.

6

Mr. Irvine, from the committee on education, submitted the following report.

The committee on education, to whom was referred

A bill to provide for supplying school districts with a certain book, with instructions,

Have had the same under consideration, report the bill back to the House, recommend its passage, and ask to be discharged from the further consideration thereof.

J. D. IRVINE, Ch'n.

The report was accepted and the committee discharged.

The question then being on concurring in said amendments,

Pending which,

Mr. Hart moved a call of the House.

Call ordered.

The roll was then called, and Messrs. Britain, Crozman and Guley were absent without leave.

The absentees soon thereafter appearing,

On motion of Mr. Hart,

All further proceedings under the call were dispensed with.

The question then recurring on concurring in the amendments reported by the committee on education, the same were concurred in.

The question then being on the final passage of the bill,

Pending which,

Mr. Hyde moved a call of the House.

Pending the question on which,

On motion of Mr. Montgomery,

All further proceedings under the call were dispensed with.

The bill was then passed by the following vote;

YEAS

Mr. Bacon,	Mr. L. Eaton,	Mr. A. H. Moore,
Balcombe,	Ferry,	H. M. Moore,
Butterfield,	Fitch,	Patterson,
Calkins,	Fowler,	Sexton,
D. L. Case,	Gregory,	Shearer,
S. M. Case,	S. C. Hall,	Sherwood,
David Clark,	Hart,	Shook,
Darius Clark,	Hitchins,	Turner,
Clyburn,	Hubbell,	Voorhies,
Covert,	Hyde,	Waite,
Earl,	Irvine,	P. D. Warner,
J. B. Eaton,	Martin,	Speaker, 37

NAYS.

Mr. Baldwin,	Mr. Crosman,	Mr. Pierce,
Barnes,	Darling,	Root,
Beecher,	Gray,	Smith,
Britain,	H. Hall,	Stetson,
Chandler,	Hicks,	Truesdell,
Childs,	Kimberly,	W. Warner,
Church,	Lawrence,	Watkins,
Corbin,	Marvin,	Wheeler,
Corrigan,	Montgomery,	Yocum,
Crane,		27

Mr. Root then moved to amend the title thereof by striking out "books" and inserting "Political Landmarks."

Mr. Fowler moved to amend by striking out "school districts" and inserting "townships."

Agreed to.

Mr. Yocum moved that the House adjourn.

Lost.

Mr. Truesdell moved that the House take a recess until half past two o'clock.

Pending which,

On motion of Mr. Hyde,

The House adjourned until half past nine o'clock Monday morning.

Lansing, Monday, March 24, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker,

The roll was called and the members were all present except those excused on account of sickness.

The reading of the journal of Saturday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Truesdell presented the petition of S. R. Doty and 10 other residents of school district No. 15, of Ann Arbor and Scio, Washtenaw county, praying that the said district be authorized to raise a certain tax for the purpose of discharging the indebtedness of the district.

Referred to the committee on education.

Mr. Root: the petition of G. A. Coe, H. Lockwood and other residents of the county of Branch, asking for an apportionment from the general school fund for moneys stolen from said county treasury.

Referred to the committee on education.

Mr. Beecher: the memorial of Robert LeRoy and 76 others, remonstrating against any alteration in the Oakland and Ottawa railroad charter.

Referred to committee on banks and incorporations.

Mr. Sexton: the petition of B. F. Knapp, D. C. Kneeland, R. Ransom and 32 others of the county of Wayne, that the present law creating a board of auditors, may be so altered as to confer their power to the board of supervisors, as in other counties.

Referred to the committee on towns and counties.

Mr. W. Warner: the petition of 83 ladies of the county of Washtenaw, asking for the passage of a law prohibiting the sale of ardent spirits.

Referred to select committee on license laws.

Mr. Baldwin: of David Ward, F. J. Buck and 21 others, citizens of Lenawee county, praying for the passage of a law securing the right of trial by jury and the benefit of the writ of habeas corpus to all citizens of the State of Michigan, under all circumstances.

Referred to the committee on federal relations.

Mr. Pierce: of S. Mapes and 45 others of Calhoun county, praying the Legislature to pass a law prohibiting the sale of ardent spirits as a beverage, under suitable penalties and restrictions.

Referred to select committee on license laws.

Mr. Stetson: the petition of E. L. Brown, Andrew B. Moore and 28 others, electors of Kalamazoo, in favor of the passage of a general rail road law.

Referred to committee of the whole.

Mr. Baldwin: the petition of David Ward, D. K. Underwood and 33 others, citizens of Lenawee county, praying this Legislature to adopt resolutions instructing our Senators and requesting our Representatives in Congress to use all honorable means to obtain the speedy repeal of the fugitive slave law.

Referred to committee on federal relations.

Mr. Kimberly: the memorial of Jacob S. Harder and 66 others and of H. H. Bradley and 26 others, and of F. J. Prevost and 70 others, citizens of Shiawassee county, remonstrating against any alteration in the Oakland and Ottawa railroad charter.

Referred to the committee of the whole.

Mr. L. Eaton: the petitions of E. Briggs and 38 others, and of E. C. Eaton and 23 others, tax-payers of Van Buren, Wayne county, to abolish the county auditor system in the county of Wayne, and in its stead establish the supervisor system.

Referred to the committee of ways and means.

Mr. Britain: the petition of Robert H. Murray, for relief from liabilities incurred for the State when engaged as acting engineer on the Central railroad.

Referred to the committee on State affairs.

Mr. Britain: the petition of G. L. Bristol and 40 others, citizens of Flowerfield, St. Joseph county, asking a general railroad law giving permission to present railroad companies to subscribe stock in branch railroad and plank road companies.

Referred to the committee of the whole.

Mr. D. L. Case: the petition of John A. Elsworth and 65 others, citizens of Ionia county, in relation to the liquor traffic.

Referred to the select committee on license laws.

Mr. Church: the petitions of A. E. Mosely and 86 others, of E. J. Fisk and 15 others, of S. L. Herrick and 58 others, and of William Rider and 152 others, citizens of St. Joseph county, praying

for the construction of a branch of the Southern rail road in the counties of Branch and St. Joseph.

Referred to the committee on banks and incorporations.

REPORTS.

Mr. Minne, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom was referred the petition of J. H. Murry, Samuel Powers and 86 others of Farmington, Oakland county, asking that a portion of the Grand River road may be vacated, have had the same under consideration, and have instructed me to report the same back to the House, accompanied by a bill, recommend its passage and ask to be discharged from the further consideration thereof.

J. P. MINNE, Ch'n.

The report was accepted, the committee discharged, and said bill read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred that portion of the Governor's message which relates to the swamp and overflowed lands granted to the State, have had the same under consideration, and respectfully submit a report and bill.

Also that portion of the message which relates to the provisions of the act of 1849, requiring the statements of the amounts due for principal and interest on the salt spring, university and primary school lands, to be transmitted to the treasurers of the several counties, report a bill, and ask to be discharged from its further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, the report ordered printed, and the bills severally read a first and second time, referred to committee of the whole and placed on the general order.

Mr. J. B. Eaton, from the committee on banks and incorporations, to whom was referred

A bill to provide for taxing foreign corporations,

With instructions to amend the same, reported it back amended as instructed, recommended its passage and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Church moved that the bill be recommitted to a select committee of two, with instructions to strike out 5 per cent., and insert 2 per cent.

Agreed to.

The Speaker appointed Messrs. Church and Shearer such committee.

Mr. D. L. Case, from the committee on banks and incorporations, to whom was referred

A bill supplementary to an act to incorporate the Grand Rapids and Plainfield plank road company, approved March 20, 1850; and

A bill supplementary to an act entitled an act to incorporate the St. Clair plank road company, approved April 2, 1849.

Reported the same back without amendment, recommended their passage, and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, and the said bills severally referred to the committee of the whole and placed on the general order.

Also the following:

The committee on banks and incorporations, to whom was referred

House bill entitled an act to prevent the circulation of foreign notes,

Have had the same under consideration, and respectfully report the same back to the House, and recommend its passage.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Also the following:

The committee on banks and incorporations, to whom was referred House bill entitled a bill relative to the Erie and Kalamazoo Rail Road Company, have had the same under consideration, and respectfully report the same back to the House, and recommend its passage.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

Mr. Church, from the judiciary committee, reported back

A bill relative to conveyances of real estate;

A bill to amend section 10 of chapter 155 of title 30 of the revised statutes of 1846, relative to crimes and the punishment thereof, and

A bill supplemental to an act to authorize proceedings against garnishées, and for other purposes, approved March 28, 1849.

The report was accepted, the committee discharged, the first and second named bills read twice, referred to committee of the whole and placed on the general order.

Also, a bill ceding jurisdiction to the United States over a certain piece of land at the mouth of Muskegon River.

Read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Church submitted the following report:

The committee on the judiciary, to whom was referred sundry petitions praying for the repeal of chapter 36 of the revised statutes of 1846, concerning the practice of physic and surgery, and for the establishment of a professorship of homœopathy in the University of this State, have had the subject under consideration, and respectfully report, that in their opinion the law, as embodied in said chapter, bestows exclusive privileges upon the medical practitioners of a certain school, creates a monopoly of this branch of science, and is therefore a barrier to explorations in the wide field of the healing art.

The cause of science cannot suffer, but must be eminently promoted by free enquiry and investigation; and all laws, however specious their forms, with tendencies to favoritism, are not only, in our opinion, subversive of the great constitutional guarantee, that "no man or set of men are entitled to exclusive or separate privileges," but are repugnant to the genius and spirit of our institutions.

Your committee do not intend to pronounce upon the merits of the different schools of medicine, though their partialities are perhaps with the oldest and most popular system; yet they do not believe it to be the embodiment of all wisdom.

A large portion of our citizens, of the highest intelligence and respectability, favor and adopt the theory and practice of other schools, they are unquestionably conscientious in their views and feelings,

and they have a right to demand that no invidious distinction shall be created by the laws, but that all systems shall be placed on an equal footing—each standing or falling as by the decree of public opinion its comparative merits may determine.

Legal enactments, proscriptive in their character and bearing upon individual opinion, the product of an inherent right, are justly obnoxious to public condemnation, and become either hatefully oppressive in their effects, or greatly injurious to civil government, by reason of disobedience to them.

The committee, therefore, believe that all arbitrary restrictions on the practice of medicine should be abolished; that practitioners of the several schools should be privileged to form societies on the voluntary principle, as was the case at the time of the adoption of the revised statutes of 1846; and they therefore recommend the repeal of chapter 36 of the revised statutes aforesaid, and the passage of a bill herewith reported for that purpose.

They report herewith also a bill to legalize the study of anatomy; that science which is the foundation of all therapeutical knowledge; in which all schools of medicine have a common interest. No physician, whether alopatic, homœopathic, hydropathic, botanic or urinal, can prescribe successfully for human disease without an acquaintance with the human structure. This acquaintance can be acquired by practical demonstrations on the *post-mortem* subject; and humanity to the living requires that provision should be made for this most important end.

As regards the establishment of a homœopathic professorship in the medical department of the State University, the committee make no recommendation. The organization of that University, its mode of operation, studies to be pursued and the whole details of its management, will soon be within the examination and control of a Board of Regents "fresh from the people." They will undoubtedly, in the course of that thorough reconstruction to which this somewhat unsuccessful institution must be subjected in order that it may give any hope or probability of ever becoming efficient and useful, make such arrangements, in this particular branch of education, as will meet the demands of the age. Their object will be to draw medical students to the lecture rooms of the University. Then, they must there cause

to be taught whatever enlightened intellect and progressive improvement in "the healing art" manifest as the indubitable results of sound inquiry and safe experiment. The committee, therefore, are of opinion that the expediency of the establishment of a homoeopathic chair in the University will be determined by the Board of Regents more wisely than by your committee or by the legislature. But that the petitioners may have an opportunity more fully to present their views upon this matter, the committee recommend the reference of the petitions praying especially for this action, to the committee on education, whose duties lead them to a minute examination of the organization of the State University. They ask to be discharged from the further consideration of the whole subject.

T. B. CHURCH, Chairman.

The report was accepted, the committee discharged and the bill read twice, referred to the committee of the whole and placed on the general order.

Mr. Britain submitted the following report:

The committee of ways and means, to whom was referred

Joint resolution authorizing the Auditor General to draw certain warrants in place of warrants which have been lost, upon proof of such loss,

Have had the same under consideration, and instructed me to report the same back to the House without amendment, recommend their passage, and ask to be discharged from the further consideration thereof.

C. BRITAIN, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole.

Mr. Hubbell, from the committee on engrossment and enrollment reported as correctly enrolled, signed and this day presented to the Governor for his approval:

A bill to amend an act entitled an act to amend an act entitled an act to incorporate the city of Monroe, and certain acts amendatory thereto, approved March 30, 1849;

Joint resolution for the relief of Gardner Kellogg, M. S. Kellogg and Nelson H. Chittenden.

Mr. H. M. Moore, from the select committee on the Grand Rapids Canal, reported

A bill to provide for the completion of the canal and locks around the rapids of Grand River at Grand Rapids, and asked to be discharged.

The report was accepted.

The question of discharging the committee was,

On motion of Mr. Church,

Ordered laid on the table.

The bill was read twice, laid on the table and ordered printed.

Mr. Church, from the select committee to which was referred

A bill to provide for taxing foreign corporations, with instructions to make a certain amendment thereto, reported the same back amended as instructed, and asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

The question was then taken, shall the bill now pass? it was decided negatively a majority of all the members elected not voting therefor, as follows:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Britain,
Butterfield,
Calkins,
Chandler,
Childs,
Corbin,
Corrigan,
Crane,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gregory,
Gulley,
H. Hall,
Martin,
Marvin,

Mr. Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Sexton,
Shearer,
Shook,
Smith,
Truesdell,
Wheeler, 83

NAYS.

Mr. Balcombe,
Beecher,
S. M. Case,
Church,
Darius Clark,
Clyburn,
Fowler,
S. C. Hall,

Mr. Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,

Mr. Sherwood,
Stetson,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker, 22

The following message was received from the Governor, by the hands of S. P. Purdy, his Private Secretary:

EXECUTIVE OFFICE,
Lansing, March 22, 1851. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend section two of an act entitled an act to incorporate the Phenix Copper Company, approved March 31, 1849;

An act to amend section 2 of an act entitled an act to incorporate the New York and Michigan Mining Company of Detroit, approved March 30, 1848;

An act to amend section 3 of an act entitled an act to incorporate the Albion Mining company, approved March 27, 1848;

JNO. S. BARRY.

The Speaker, also announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 24, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit herewith,

A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State, and the interest due thereon; and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848, and

A bill to provide for a sinking fund,

Which the Senate have passed, and in both of which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,
Secretary of the Senate.

The bills were read a first and second time and referred to committee of ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Shearer moved a reconsideration of the vote of Saturday, by which was lost

The bill to amend section 1 of an act to authorize F. G. Hubinger and A. Cramer to erect and maintain a dam across the Cass river, Saginaw county, approved March 20, 1848.

The Speaker ruled the motion not in order.

And after some conversation, Mr. Shearer withdrew his motion, and then moved a suspension of the rule requiring a motion for the reconsideration of any vote to be made on the same or the following day.

The last motion prevailed. as follows:

YEAS.

Mr. Balcomba,	Mr. J. B. Eaton,	Mr. H. M. Moore,
Baldwin,	L. Eaton,	Patterson,
Barnes,	Ferry,	Pierce,
Britain,	Fitch,	Sexton,
Butterfield,	Fowler,	Shearer,
Calkins,	Gulley,	Sherwood,
D. L. Case,	H. Hall,	Shook,
S. M. Case,	S. C. Hall,	Smith,
Childs,	Hicks,	Stetson,
Church,	Hitchings,	Truesdell,
Darius Clark,	Hubbell,	Voorhies,
David Clark,	Hyde,	Waite,
Corbin,	Irvine,	P. D. Warner,
Corrigan,	Lawrence,	W. Warner,
Covert,	Martin,	Watkins,
Crane,	Marvin,	Wheeler,
Crosman,	Minne,	Yocum,
Darling,	Montgomery,	Speaker,
Earl,	A. H. Moore,	

56

NAYS.

Mr. Gregory,	Mr. Root,	Mr. Turner,
Hart,		

4

Mr. Shearer then moved a reconsideration of the vote by which said bill was passed.

Agreed to.

Mr. Shearer then moved to recommit the bill to the judiciary committee, with instructions to strike out section 3 thereof. Agreed to.

Mr. Hart moved to take from the table

Joint resolutions relative to the interest account between the State of Michigan and certain counties thereof.

Agreed to.

On motion of Mr. Church.

Referred to committee of ways and means.

Pursuant to previous notice, Mr. J. B. Eaton on leave, introduced

A bill to provide for the construction of a bridge across Grand River, in the village of Jackson.

Read twice, and referred to committee on roads and bridges.

On motion of Mr. Hart,

The committee of the whole were discharged from the further consideration of

A bill to amend an act to incorporate the Mount Clemens and Romeo plank road company.

Mr. Hart then offered the following amendment thereto:

To be inserted in line 4, after "Imlay:" "and from said Imlay mills to the village of Lapeer."

Lost.

The bill was then ordered to be read a third time, was so read and passed, by the following vote:

YEAS.

Mr. Baldwin,	Mr. Ferry,	Mr. A. H. Moore,
Barnes,	Fitch,	Patterson,
Beecher,	Fowler,	Pierce,
D. L. Case,	Gregory,	Root,
S. M. Case,	Gulley,	Sexton,
Chandler,	S. C. Hall,	Shearer,
Childs,	Hart,	Sherwood,
Darius Clark,	Hicks,	Shook,
David Clark,	Hitchings,	Smith,
Clyburn,	Hubbell,	Stetson,
Corbin,	Hyde,	Truesdell,
Corrigan,	Kimberly,	Voorhies,
Crane,	Lawrence,	Waite,
Crosman,	Martin,	P. D. Warner,
Darling,	Marvin,	Wheeler,
Earl,	Minne,	Yocum,
L. Eaton,	Montgomery,	Speaker, 51

NAYS.

Mr. Britain,	Mr. Butterfield,	Mr. Covert,	3
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Mr. Gulley moved that the committee on the judiciary be discharged from the further consideration of a petition presented by himself on Saturday, relative to abolishing the board of county auditors in the county of Wayne, and asked that the petition may be referred to the committee on towns and counties.

Agreed to.

Mr. Clyburn gave notice that he would on a future day ask leave to introduce a bill to amend an act entitled an act to incorporate the Cassopolis and Dowagiac plank road company, approved March 25 1850.

Mr. Hart moved to discharge the committee of the whole from the further consideration of the bill supplemental to an act incorporating and the acts amending the Detroit, Romeo and Port Huron rail road company.

Lost.

Mr. Hart also moved to discharge the committee of the whole from the further consideration of the bill to amend an act entitled an act to incorporate the Oakland and Ottawa rail road company, approved April 3, 1848.

Which, after some conversation, he withdrew.

Mr. Truesdell, by unanimous consent, introduced,

A bill to authorize fractional school district No. 15, in the townships of Ann Arbor and Scio, to raise a certain tax for the purposes therein mentioned.

Read twice and referred to committee on education.

Mr. Minne moved that the committee of the whole be discharged from further consideration of

A bill to amend section 1 of an act amending an act relative to plank roads, approved March 19, 1849.

Lost.

Mr. Beecher gave notice that he would on some future day ask leave to introduce

A bill to amend chapter 53, title 11 of the revised statutes of 1846

Mr. Church gave notice of his intention to move for leave to introduce

A bill to amend an act entitled an act to authorize the sale of the Michigan Southern railroad and to incorporate the Michigan Southern railroad company, approved May 9, 1846, by authorizing the said company to construct a branch from Bronson, in Branch county, or some other point on said road, to Three Rivers, in St. Joseph county.

Mr. Britain offered the following resolution:

Resolved, That there be added to the standing committees of this House, a committee on claims.

Laid on the table.

By unanimous consent, Mr. Croswan introduced

A bill to extend the time for the collection of taxes in the township of Phelpsstown, in the county of Ingham.

Read a first and second time; when

Mr. Crosman moved that the rules be suspended, and the bill now read a third time.

Lost.

The bill was then referred to the committee of the whole.

On motion of Mr. Fowler,

The committee of the whole were discharged from the further consideration of

The bill to amend section one of an act to incorporate the Howell and Byron plank road company, approved March 25, 1850, and to extend the time for opening books for the subscription of stock to the same.

The bill was then ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnea,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,

Mr. Darling,
Earl,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
White,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

55

NAYS.

Mr. Britain,

1

The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

On motion of Mr. D. L. Case,

The House then took a recess until half past 2 o'clock P. M.

Afternoon Session.

2½ o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and members present as in the morning, excepting Messrs. Gray and Truesdell, absent without leave.

Mr. Crane asked and obtained leave of absence for Mr. Truesdell on account of sickness.

The House then resolved itself into committee of the whole on the general order,

Mr. Covert in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back

1. A bill to amend an act entitled an act to incorporate the Oakland and Ottawa Rail Road Company, approved April 3, 18 8;

2. A bill to provide for the organization and powers of the Supreme court;

3. A bill to amend an act to incorporate the Lansing coal company, approved March 28, 1849;

4. A bill to amend an act entitled an act to incorporate the Cotton Wood Swamp Turnpike Company. approved March 9, 1844;

5. A bill to amend the second and fourth sections of an act to incorporate the Erin and Mt. Clemens plank road company, approved March 20, 1850;

6. A bill for the better protection of inn keepers and others;

7. A bill to provide for taking the census and statistics of this State;

8. A bill to provide for filling vacancies that exist or may occur in certain judicial offices;

9. A bill to vacate a portion of the plat of the village of Mottville, and

10. A bill to authorize the incorporation of bridge companies.

The first six, and tenth named, with amendments in which they asked the concurrence of the House, and to be discharged from further consideration of said bills.

The report was accepted and the committee discharged.

And the question being on concurring in the several amendments to the first named, they were severally concurred in.

The bill was then ordered to be engrossed and read the third time, was so read, the engrossment thereof having been dispensed with, and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,

Mr. Darling,
Earl,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
Patterson,
Roo,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

50

NAYS.

Mr. Pierce,

1

The House then directed, by a vote of two-thirds of all the members elected thereto, that said act shall take immediate effect.

The following message was received from the Executive, by the hands of his private secretary:

EXECUTIVE OFFICE.
Eansing, March 24, 1851. }

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State,

An act to amend section 58 of an act entitled an act to incorporate the city of Grand Rapids, approved April 2, 1850;

An act to amend an act entitled an act to amend an act entitled an act to incorporate the city of Monroe, and certain acts amendatory thereto, approved March 30, 1849;

Joint resolution for the relief of Gardner Kellogg, M. S. Kellogg and Nelson H. Gittendon.

JNO. S. BARRY.

On motion of Mr. Hyde,

The House adjourned until 10 o'clock A. M., to-morrow.

Lansing, Tuesday, March 25, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called and the members all present, except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent of the House, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Baldwin presented the petition of Edwin Comstock and 43 others; of T. F. Dodge and 23 others; of W. B. Newell and 36 others; of J. W. Hunt and 10 others; of F. Voorhees and 7 others; of J. Brownell and 4 others; of Ezra Cole and 24 others; of A. B. Wildey and 22 others; all citizens of Lenawee county, praying for the passage of a law securing the right of trial by jury and the privilege of the writ of habeas corpus to all the citizens of Michigan, under all circumstances.

Severally referred to the committee on federal relations.

Also, of Francis M. Grundy, Wm. E. Barton and 21 others; of Wm. B. Newell, Marcellus Darling and 32 others; of J. W. Hunt, A. L. Murry and 6 others; of Anson Backus, Wm. W. Cook and 11 others, of Francis Voorhees and 8 others; of A. B. Wildey, H. P. Fuller and 24 others; of Ezra Cole and 25 others; of Edwin Comstock and 45 others; and of J. Brownell and 4 others, citizens of Lenawee county, praying the Legislature to pass resolutions instructing our Senators, and requesting our Representatives in Congress to use all honorable means to obtain a speedy repeal of the fugitive slave law.

Severally referred to the committee on federal relations.

Mr. Truesdell: the petition of E. Lawrence, F. J. B. Crane and 253 others, citizens of Washtenaw county, praying for the passage of a law authorizing the Central railroad company to aid in the construction of the railroad through Canada West, and remonstrating against any legislation in favor of the Southern railroad company, until the Central railroad company shall have obtained the right to extend its road through Northern Indiana.

Referred to the committee on special order.

Mr. Hyde: the petition of Shadrach Gillett, Oliver M. Hyde, J. McReynolds and 900 others, citizens and business firms of Wayne county, praying for the passage of a law to enable the Central railroad company to aid in the construction of a railroad through Canada, and remonstrating against any legislation in favor of the Michigan Southern railroad company, until the Central road shall have secured the right of way through Indiana.

Referred to committee on special order.

Mr. Hyde: of J. C. Longyear and 32 others, citizens of Jackson county, praying for the passage of a law to aid the Central rail road to aid in the construction of a rail road through Canada, and remonstrating against any legislation in favor of the Michigan Southern rail road company, until the Central road shall have secured the right of way through Indiana.

Referred to committee on special order.

Mr. A. H. Moore: of James E. Kellogg, A. S. Moore and 44 others, citizens of St. Joseph county, asking for the passage of a general rail road law.

Referred to committee of the whole.

Mr. H. M. Moore: of Wm. T. Potter and 20 others, citizens of the township of Montcalm in the county of Montcalm, praying an extension of time for the collection of taxes.

Referred to committee of ways and means.

Mr. Montgomery: of R. L. McCollum and A. J. McDermick, asking a special tax of five mills on the dollar, for the improvement of a road leading from the Ohio line near the forks of the little St. Joseph river, to section 33 in town 7 south, range 3 west.

Referred to committee on roads and bridges.

Mr. Church: of James Waters of Kent county, praying for the passage of a law authorizing the sale of a certain piece of primary school land.

Referred to the committee on public lands.

REPORTS.

Mr. Hitchings, from the committee on the organization of towns and counties, submitted the following report:

The committee on towns and counties, to whom were referred the petition of citizens of Grand Traverse Bay, praying for the or-

ganization of a county by the name of Grand Traverse; also the petition of sundry citizens of Grand Traverse, asking for the organization of a certain township therein named,

Have had the same under consideration, and have instructed their chairman to report a bill for the organization of the same, and respectfully ask to be discharged from the further consideration thereof.

J. P. HITCHINGS, Ch'n.

The report was accepted, the committee discharged, the bills severally read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Church, from the judiciary committee, to which was referred the petition of James W. Rosebrook and others, for the change of the name of a minor child, reported

A bill to change the name of John Atson Atwater to John Atson Rosebrook,

Recommend its passage, and ask to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and said bill read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Church, from the same committee to which was referred the petition of Eliza J. and Catharine Robson, for a change of name, reported

A bill to change the names of Eliza J. Robson and Catharine Robson,

Recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged and the bill,
On motion of Mr. Church,

Laid on the table.

Mr. Irvine, from the committee on education, submitted the following report:

The committee on education, by their chairman, report the following bill, viz:

A bill to authorize fractional school district No 15 of the townships

of Ann Arbor and Scio, to raise a certain tax for the purpose of paying the indebtedness of said school district.

J. D. IRVINE, Ch'n.

The report was accepted, the committee discharged, the bill twice read, when,

On motion of Mr. Truesdell,

The rule was suspended, the bill ordered to be read the third time, was so read and passed as follows:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
B. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

58

NAYS.

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The House then, by a vote of two-thirds of all the members elected, directed that said act take effect immediately.

Mr. Shook, from the committee on public lands, reported

Joint resolutions relative to the unsold public lands of this State, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the joint resolution ordered laid on the table and printed.

Mr. Minne, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom was referred

A bill entitled a bill to provide for the construction of a bridge across Grand River, in the village of Jackson,

Have had the same under consideration, report the same back without amendment, recommend its passage and asked to be discharged from the further consideration of the same.

J. P. MINNE, Ch'n.

The report was accepted, the committee discharged, and the bill ordered to be read a third time.

On motion of Mr. J. B. Eaton,

It was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Darius Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Mr. Croswan,
Darling,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchins,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Truesdell,
Turner,
Voorhies,
Waite,
W. Warner,
Wheeler,
Yocum,
Speaker,

56

NAYS.

Mr. Hubbell, Mr. Stetson, Mr. P. D. Warner, 3

The House then, by a vote of two-thirds of all the members elect, directed that said act shall take effect immediately.

Mr. Minne, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom was referred

A bill to amend section 1 and 3 of an act to authorize F. G. Hubinger and A. Cramer to erect and maintain a dam across the Cass river, Saginaw county, approved March 20, 1848,

With instructions, have had the same under consideration, report the same back amended as instructed, and ask to be discharged from the further consideration thereof.

J. P. MINNE, Ch'n.

The report was accepted, the committee discharged,
And after considerable discussion, the amendment was non-concurred in.

Mr. Kimberly then moved to recommit the bill to committee on roads and bridges, with instructions to introduce a new bill amending act No. 92, by striking out the name of "F. G. Hubinger," and inserting that of "J. G. Hubinger." Also, amend section 2, by inserting in the 2d line, the words "eight to eighty."

Lost.

The bill was then passed as follows:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. Minne,
Balcombe,	J. B. Eaton,	Montgomery,
Baldwin,	Ferry,	H. M. Moore,
Barnes,	Fitch,	Patterson,
Butterfield,	Gregory,	Root,
D. L. Case,	Gulley,	Sherwood,
S. M. Case,	Hart,	Smith,
Church,	Hubbell,	Turner,
Darius Clark,	Hyde,	Voorhies,
David Clark,	Irvine,	Wait,
Corrigan,	Kimberly,	Watkins,
Craue,	Lawrence,	Speaker,
Crosman,		

37

NAYS.

Mr. Beecher,	Mr. Fowler,	Mr. Shearer,
Britain,	H. Hall,	Shook,
Calkins,	S. C. Hall,	Stetson,
Candler,	Martin,	Truesdell,
Childs,	Marvin,	P. D. Warner,
Clyburn,	H. M. Moore,	W. Warner,
Corbin,	Pierce,	Wheeler,
Darling,	Sexton,	Yocum,
L. Eaton,		

25

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

A bill to amend an act entitled an act to construct dams and improve the navigation of certain rivers, approved March 24, 1836.

Mr. D. L. Case, from the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was referred,

A bill supplemental to an act entitled an act to incorporate the Walker and Vergennes plank' road company, approved April 1, 1850,

Have had the same under consideration, and respectfully report the same back to the House, without amendment, recommend its passage and ask to be discharged.

D. L. CASE, Ch'n.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

MESSAGES.

The Speaker, announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 25, 1851. }

To the Speaker of the House of Representatives:

SIR :—I am instructed to return herewith,

A bill to amend an act entitled an act to incorporate the Oakland and Ottawa rail road company, approved April 3, 1848,

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect, with amendments, in which the concurrence of the House is respectfully asked.

Also to transmit,

A bill relative to reports of the decisions of the Supreme court,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Sec'y of Senate.

The several amendments to the first named were concurred in, and the bill ordered enrolled.

The second named was twice read and referred to the judiciary committee.

Also the following:

SENATE CHAMBER,
Lansing, March 24, 1851. }

To the Speaker of the House of Representatives:

Sir—I am instructed to return herewith,

1. A bill to amend section one of an act entitled an act to attach the county of Huron to Sanilac for legislative and other purposes, approved April 1, 1850,

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect.

Also to transmit,

2. A bill relative to highway taxes in the city of Detroit; and

3. A bill to cede jurisdiction to the United States over land to be occupied as a site of light house buildings in this State,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and respectfully ask the concurrence of the House therein.

Very Respectfully,

O. W. MOORE,

Secretary of the Senate.

The first named was ordered enrolled.

The 2d was twice read and referred to the committee on towns and counties.

The 3d twice read and referred to the judiciary committee.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hart moved to discharge the committee of the whole from

The bill supplemental to an act incorporating and the acts amending the Detroit, Romeo and Port Huron railroad company.

Lost.

Mr. Chandler moved that the House adjourn.

Lost.

By unanimous consent, Mr. Britain, from the committee of ways and means, to which was referred

A bill to extend the time for the collection of taxes in the township of Phelpsstown, in the county of Ingham, reported the same back without any recommendation, and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Crosman moved a suspension of the rules, and that said bill be now read the third time.

Lost.

The bill was then referred to the committee of the whole and placed on the general order.

Mr. Hart moved that the House take a recess until half-past two o'clock, P. M.; which he withdrew, when

Mr. Irvine moved a reconsideration of the vote by which the bill taxing foreign corporations was lost.

Pending which,

Mr. Irvine moved to lay his motion on the table.

Agreed to.

Mr. Ferry offered the following resolution:

Resolved, That the Attorney General be requested to communicate as soon as practicable his opinion in writing to this House whether it is competent for the Legislature to vacate village plats, wholly and in part

Adopted.

Mr. Britain moved to take from the table

The bill to amend an act to provide for the appraisal of certain lands in Berrien county.

Pending which,

Mr. Irvine moved that the House adjourn.

Lost.

The question was then taken on the motion of Mr. Britain,

Which prevailed.

Mr. Hyde moved to lay the bill on the table.

Lost.

Mr. Irvine then moved that the House adjourn.

Lost.

Mr. Britain then offered the following amendment to the bill:

"Provided always, that if any one of the certificates mentioned in this section has, since the forfeiture of such certificate, been legally sold by the Commissioner of the State Land Office, such forfeited certificate shall not be received."

Adopted.

Mr. Hart moved to refer the bill to committee on education, with

instruction to amend the bill so as to provide for the Central railroad's paying the decrease in value of said land, occasioned by their change of route.

The Speaker ruled the motion out of order.

On motion of Mr. Irvine,

The House adjourned.

Afternoon Session.

Half-past two o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and the members present as in the morning.

Mr. Church, by unanimous consent, introduced the following resolution:

Resolved, That the Pontiac and Ottawa railroad bill, ordered to be enrolled, be withdrawn from the Enrolling Clerk and laid on the table.

Adopted.

The House then resolved itself into committee of the whole on the special order of the day,

Mr. D. L. Case in the chair.

After spending some time thereon, the committee rose, and by their chairman reported back to the House that they had had under consideration,

A bill to amend an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846.

To which they had made the following amendments, to wit:

In line 3, section 1, after the word "from," strike out the words "the southern of the State," and insert the words "the line between this State and the State of Indiana."

In line 5 of section 1, after the word "railroad," where it first occurs in said line, strike out the words "to connect the Southern railroad with Chicago."

And had also had under consideration the following amendments, upon which they had made some progress, and asked leave to sit again, viz:

Amendments offered by Mr. Britain;

Strike out the "proviso" to section 1 and insert as follows:

"Provided, That before the provisions in this section shall take effect and be applicable to any company or companies in the State of Indiana, or have any effect whatever in that State, the company or companies in that State having power to control a rail road from Michigan City to the State line of Illinois, shall contract to transport the freight and passengers of the Michigan Central Rail Road Company over and upon the road of said company, and any part of it, between Michigan City and Chicago, upon just and equitable terms, so as to insure every practicable dispatch, facility and accommodation, either in the cars of the said Michigan Central Rail Road Company, or otherwise, with a view of insuring to the said Michigan Central Rail Road Company a free and equal competition at and with Chicago for trade and travel, on the condition that the company or companies in Illinois connected with the Michigan Central Rail Road Company shall first contract or agree to contract that they will immediately proceed to construct a rail road from the Illinois State line to the city of Chicago, so as to cause no delay in the progress of the line to that city, and will in like manner as above provided transport the freight and passengers passing on the said road in Indiana with equal facility, accommodation and dispatch as shall be furnished to them by the company in Indiana, so as not to give at the point of termination in Chicago, the advantage in any respect to the Michigan Central Rail Road, but shall be equal and just to all parties or companies connected therewith; and in case the parties or companies shall be unable to agree on all or any of the details or arrangements, then the companies shall respectively agree to abide by the arbitrament and decision of any three engineers or presidents of rail road companies, one of whom to be chosen by the Michigan Central rail road company, one to be chosen by the company in Indiana having power to construct said road, and the third to be chosen by the two thus selected; and the three thus chosen shall examine, fix and settle the terms and mode in which the business of said roads shall be conducted, and shall determine all questions between them, so as to carry out the principles aforesaid; and in case the Michigan Central rail road company shall not signify in writing, in a form or manner, to

the Northern Indiana railroad company within thirty days from the passage of this act, their consent to such an arrangement, and the tribunal thus to be selected to determine all questions of difference, then this proviso shall be of no force and effect.

Amendment offered by Mr. Fowler to the amendment offered by Mr. Britain, viz :

Amend amendment by adding:

“Provided, That nothing in this act or any act to which this is amendatory, shall have any force or effect until the Michigan Central Rail Road Company shall have secured a right of way for the extension of their road from Michigan City to the State line of Illinois, on equal and fair terms as have been or may hereafter be possessed or controlled by any company or companies from Michigan City to the said State line of Illinois, on the most direct route to Chicago.”

The report was accepted and the committee had leave to sit again.

On motion of Mr. Church,

The amendments adopted and considered in committee of the whole, were ordered entered on the journal.

Mr. Church asked and obtained the unanimous consent of the House to introduce

A bill to amend an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846.

Read twice and referred to the committee on banks and incorporations.

Mr. Britain asked the unanimous consent of the House to introduce a modification of his amendment, requiring, in effect, the Northern Indiana Rail Road Company also to signify its assent to the provisions contained in the amendment; and also a new section, to stand as section 2 of the bill, providing in effect, that the provisions of the act under consideration should not be construed so as to release the company from the provisions of section 6 of an act approved April 1, 1850, amending the charter of said Southern Rail Road Company, and that the same might be entered on the journal with the amendments considered in committee of the whole.

Mr. Irvine objected.

Mr. Britain then moved that the rules be suspended, in order to allow such amendments to be so printed.

But the motion did not prevail.

On motion of Mr. Hubbell,

The House adjourned.

Lansing, Wednesday, March 26, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

The roll was called and the members were all present except those excused on account of sickness and Mr. D. L. Case.

Mr. Bacon asked and obtained leave of absence for Mr. D. L. Case on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Hubbell presented the petition of S. E. Beach and 120 others, citizens of Oakland county, praying for the passage of an act authorizing the Michigan Central railroad company to take stock in the Canada road, and remonstrating against any legislative action in favor of the Southern railroad company, believing the same calculated to build up Toledo and other towns in Northern Ohio, at the expense of this State.

Referred to committee of the whole.

Mr. David Clark: the petition of N. J. Danelles and 20 others, relative to the election of justice of the peace.

Referred to the judiciary committee.

Mr. Corrigan: the petition of Franklin Johnson, James B. Van Brunt, Zuriel Waterman, Abner Morton and 494 others, citizens of the county of Monroe, praying that the Southern railroad bill, in its present features, be rejected, or amended so as to confine said Southern railroad company to the States of Indiana and Illinois.

Referred to committee of the whole.

Mr. Truesdell: the petition of D. D. Forrest and 250 others, citizens of Washtenaw county, for the passage of an act auth-

the Michigan Central railroad company to take stock in the Canada railroad, and remonstrating against legislation in favor of the Michigan Southern railroad company, until the Central railroad company shall have obtained the right to extend its road through Northern Indiana to the Illinois line.

Referred to committee of the whole.

Mr. Waite: the petitions of Samuel Chipman, C. Gurney and 60 others; of Alexander Stewart and 35 others; of O. O. Goodrich and 36 others, citizens of St. Joseph county, praying for the passage of a general railroad law.

Referred to the committee of the whole.

Mr. Stetson: of D. S. Walbridge, Charles E. Stewart, E. Ransom, and 240 others; of Charles S. Arcambell and 12 others, citizens of Kalamazoo county; also the petitions of Homer Marsh and 52 others; of R. S. Whitcomb and 52 others, citizens of Calhoun county, for an act authorizing the Michigan Central rail road to take stock in the Canada road, and remonstrating against any legislation in favor of the Michigan Southern rail road company, until the Central company shall have obtained the right to extend its road through Northern Indiana to the Illinois line.

Referred to committee of the whole.

Mr. Lawrence: of E. O. Leach, E. J. Fuller, J. M. Beach and 142 others, citizens of Branch county; of Mrs. Adeline W. Root, N. Chandler, Mary A. Alden and 173 others, ladies of Branch county, praying for the passage of a law prohibiting the sale of intoxicating liquors as a beverage.

Referred to select committee on license laws.

REPORTS.

Mr. Shearer, from the select committee appointed to wait upon the Hon. Elon Farnsworth and request a copy of his address delivered in the Hall of Representatives on behalf of the deaf, dumb, blind and insane, on the 10th inst., reported that the committee had discharged the duty assigned them, recommended the printing of the address and asked to be discharged.

The report was accepted and the committee discharged.

Mr. motion of Mr. Bacon,

Address was laid on the table and 500 copies ordered printed.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred the several petitions of Peter Pattison, Mrs. Dennis McMahon and Daniel L. Waters, asking for the passage of acts authorizing them to purchase State Normal school lands at their appraised value, irrespective of improvements made thereon, the said petitioners having made those improvements, have had said petitions under consideration, and have instructed me to report the same back to the House, with the opinion that legislation is not necessary for the objects said petitioners have in view; that the provisions of existing laws will furnish to said petitioners all the relief they ask and are entitled to in the premises. The committee therefore recommend that no action be had upon the subject, and ask to be discharged from the further consideration thereof.

Also the petition of James Waters, of Kent county, praying for the passage of a law authorizing the sale of a certain piece of primary school land, and report joint resolution in accordance with the prayer of said petitioner, recommend its passage and ask to be discharged from its further consideration.

D. SHOOK, Ch'n.

The report was accepted, the committee discharged, the petitions ordered laid on the table, the joint resolution read twice and ordered laid on the table.

Mr. Church, from the committee on the judiciary, to which was referred

A bill relative to the reports of the decisions of the supreme court,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged and the bill ordered laid on the table.

Also reported back

A bill to cede jurisdiction to the United States over land to be occupied as a site of light house building in this State,

Without any recommendation, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged; and the bill referred to the committee of the whole and placed on the general order.

Mr. Chandler, from the select committee on the license laws, submitted the following report:

The select committee to whom was referred sundry petitions on the subject of intoxicating drinks, have had the same under consideration, and a portion of them, through their chairman, do report by bill.

GEORGE CHANDLER, Ch'n.

The report was accepted, the committee discharged, and the bill read twice, referred to the committee of the whole and placed on the general order.

Mr. Ferry, from the same committee, submitted the following report:

A portion of the select committee, appointed the 19th inst., to whom the numerous petitions on the subject of the sale of spirituous liquors were transferred, with a request that said committee report thereon at as early a day as practicable, have instructed me to make a report by bill, which is herewith respectfully submitted,

THOS. W. FERRY.

The report was accepted, the committee discharged, the bill read twice, referred to committee of the whole and placed on the general order.

The Speaker announced the following communication from the Attorney General:

OFFICE OF THE ATTORNEY GENERAL, }
Lansing, March 25, 1851. }

To the Hon. the House of Representatives:

As requested by resolution of the House, I have examined the bill providing for the imposition of a special tax of five mills on a dollar, on a portion of the southern tier of townships of Hillsdale county, for the improvement of the Vista Road, and am of the opinion that the proposed law would be invalid. The 11th section of the 14th article of the constitution requires that the Legislature shall provide an uniform rule of taxation. The bill is clearly in violation of this principle. It imposes a local tax, without regard to any territorial

limit or jurisdiction, recognized by law for purposes of taxation. The rule which it establishes is neither uniform in the road districts or townships of the same county, nor general throughout the State.

WILLIAM HALE,
Attorney General.

Ordered laid on the table, and printed on the journal.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hart offered the following resolution:

Resolved, That the resolution adopted by this House, devoting the afternoon session exclusively to the general order, be and the same is hereby rescinded.

Lost.

Mr. Church moved to take from the table the question of discharging the select committee on the Grand Rapids Canal.

Agreed to.

The committee were then discharged.

Mr. Irvine moved to take from the table the joint resolution in relation to roads.

Agreed to.

On motion of Mr. Irvine,

Said joint resolutions were then referred to the committee of the whole and placed on the general order.

Mr. Ferry, pursuant to previous notice, introduced

A bill to authorize the board of State auditors to examine and settle the claims against the State for the translation and publication of the Governor's message for the years 1850 and 1851.

Read a first and second time, and referred to the committee of ways and means.

Mr. Voorhies offered the following resolution:

Resolved, That this House adjourn *sine die* on Friday, the 4th day of April, at 12 o'clock, M.

Mr. Ferry offered the following amendment:

Amend by inserting "on Monday, the 7th of April, at 12 o'clock Meridian."

Mr. Turner moved to lay the whole subject on the table.

Lost.

Mr. Hart offered the following:

Amend the amendment by inserting "Monday, the 30th inst."

Lost.

Mr. J. B. Eaton offered the following:

Amend by inserting "Saturday, the 5th of April, at 12 o'clock, noon."

Agreed to.

Mr. Hart then moved to lay the whole subject on the table.

Lost.

Mr. Crossmen moved to postpone the further consideration of the subject until Monday next.

Lost.

Mr. Turner moved to postpone to Tuesday next.

Lost.

The resolution as amended was then adopted.

Mr. Church offered the following resolution:

Resolved, That the Attorney General be requested to report without delay in accordance with the resolution adopted by this House on the 6th inst., referring to him the provisions of the bill "establishing police regulations for the preservation of property on the lines of rail roads, and for other purposes."

Adopted.

On motion of Mr. Church,

The bill to amend an act entitled an act to incorporate the Oakland and Ottawa rail road company, approved April 3, 1848,

Was taken from the table and ordered enrolled.

M. P. D. Warner moved that the bill relative to reports of decisions of the sepreme court be taken from the table.

Agreed to.

He then moved that the bill be now read the third time.

Lost.

On motion of Mr. Hyde,

The bill was then ordered laid on the table.

On motion of Mr. Church,

The bill to change the names of Elizabeth J. Robson and Catherine Robson, was taken from the table and ordered to be engrossed and read the third time.

By unanimous consent,

Mr. Beecher introduced a bill to amend section 76, chapter 58, title 11, revised statutes of 1846, in relation to primary schools.

Read a first and second time and referred to the committee on education.

By unanimous consent,

Mr. Minna introduced

A bill to authorize certain townships and villages to take stock in the Port Huron and Lapeer plank road company.

Read a first and second time, and referred to the committee on banks and incorporations.

Mr. Darius Clark gave notice that on some future day he would introduce a bill to amend the charter of the village of Marshall, in Calhoun county.

Mr. Clyburn, pursuant to previous notice, asked and obtained leave to introduce

A bill to amend sections 1 and 2 of an act entitled an act to incorporate the Cassopolis and Dowagiac plank road company, approved March 25, 1850.

Read a first and second time, and referred to the committee on banks and incorporations.

THIRD READING OF BILLS.

The House having arrived at the order of bills for a third reading took up

A bill to amend chapter 107, title 22, of an act entitled an act for revising and consolidating the general statutes of the State of Michigan, approved May 18, 1846, of provisions concerning actions and proceedings in certain cases.

Mr. Truesdell moved its indefinite postponement.

Mr. Hart moved to lay on the table.

Lost.

The question was then taken on the motion to indefinitely postpone, and the same was agreed to, as follows:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Britain,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Fitch,
Gregory,

Mr. Montgomery,
Patterson
Pierce,
Root,
Sexton,

Calkins,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,

Gulley,
H. Hall,
S. C. Hall,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,

Shearer,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum, 51

NAYS.

Mr. S. M. Case,
Church,
Ferry,
Fowler,

Mr. Hart,
Minne,
A. H. Moore,

Mr. Sherwood,
Waite,
Speaker,

10

Mr. Lawrence, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for his approval.

An act to amend section 1 of an act entitled an act to attach the county of Huron to Sanilac, for legislative and other purposes, approved April 1, 1850; and

An act to amend an act entitled an act to incorporate the Oakland and Ottawa railroad company, approved April 3, 1848.

A bill to amend an act for the relief of Thomas N. Bartlett, was taken up for a third reading; when

Mr. Hart moved its indefinite postponement.

Lost.

The bill was then read a third time and passed, as follows:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Corbin,
Corrigan,

Mr. Fitch,
Fowler,
Gray,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Voorhies,
Waite,

Covert,
Crosman,
Darling,
Earl,
J. B. Eaton.
L. Eaton,
Ferry,

Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

59

NAYS.

Mr. Gregory,

1;

A bill to organize the township of Lebanon, in the county of Allegan,

Was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
J. B. Eaton,
L. Eaton,
Ferry,

Mr. Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Mr. A. H. Moore,
H. M. Moore,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

55.

NAYS.

0.

The House then, by a vote of two-thirds of all the members elected, directed that said act take effect immediately.

UNFINISHED BUSINESS.

The House having arrived at order of unfinished business, took up
A bill to amend an act to provide for the appraisal of certain
lands in Berrien county.

The question being on its engrossment for a third reading,

Mr. Truesdell offered the following amendment thereto, to stand as
section 5:

"Provided, that no lands named in this act shall be priced less
than twelve dollars per acre."

Mr. Irvine moved to lay the bill and amendment on the table and print.

Lost.

The question then recurring on the amendment of Mr. Truesdell, he withdrew it.

Mr. Truesdell then offered the following amendment:

Section 26, line 2, strike out the word "five," and insert in lieu thereof, the word "ten."

Lost.

The bill was then ordered engrossed, and to be read the third time.

A bill to amend sections 25 and 26 of chapter 123, title 24, of the revised statutes of 1846, concerning proceedings to recover the possession of land in certain cases,

Was then taken up; when

Mr. Truesdell offered the following amendment:

Strike out of line 7, section 2, the word "ten," and insert "twelve."

Lost.

Mr. Church moved that the House reconsider the vote by which the words "by a defendant, shall be allowed, he," were stricken out and "appellant," inserted.

Agreed to.

Mr. Britain then offered the following amendment:

Sec. 25, lines 13, 14, strike out "and all damages intentionally or negligently done, or permitted or suffered to any part of said premises."

Mr. Darling moved to strike out the words "or negligently," in 13th line.

Lost.

The question then recurring on the amendment of Mr. Britain the same was adopted.

The bill was then ordered to be engrossed and read the third time.

The House then took up a concurrent resolution relative to adjournment of this Legislature.

Mr. Ferry moved to strike out "Saturday," and insert "Monday, April 7."

Mr. Hart offered the following amendment to the amendment:

"Provided the business of the people is all done up."

Mr. Kimberly moved to lay the whole subject on the table.

Lost.

The question then being on Mr. Hart's amendment, the same was not agreed to.

The question then recurring on the motion of Mr. Ferry, the same did not prevail, as follows:

YEAS.

Mr. Bacon,
Balcombe,
Britain,
Chandler,
Church,
Covert,
Darling,

Mr. Ferry,
H. Hall,
Hart,
Hubbell,
Hyde,
Irvine,

Mr. Montgomery,
Shearer,
Smith,
Turner,
P. D. Warner,
Speaker,

19

NAYS.

Mr. Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
S. M. Case,
Childs,
Darius Clark,
David Clark,
Corbin,
Corrigan,
Crane,
Crosman,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
S. C. Hall,
Hicks,
Hitchings,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Sherwood,
Shook,
Stetson,
Truesdell,
Voorhies,
Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,

45

Mr. Fitch then offered the following amendment:

Strike out "Saturday, the 5th," and insert "Friday, the 4th."

Lost.

The question was then taken on the resolution, and the same adopted, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
Darius Clark,
David Clark,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
S. C. Hall,

Mr. A. H. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shook,
Stetson,
Truesdell,
Voorhies,

19-70
2-20

Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crossman,

Hicks,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,

44

NAYS.

Mr. Britain,
S. M. Case,
Chandler,
Church,
Darling,
Ferry,

Mr. H. Hall,
Hart,
Hubbell,
Hyde,
Irvine,
Montgomery,

Mr. Shearer,
Smith,
Turner,
P. D. Warner,
Speaker,

17

Mr. Bacon moved a reconsideration of the last vote:

Mr. Hyde moved to lay the motion of Mr. Bacon on the table.

Lost.

The question was then taken on the motion to reconsider, and the same did not prevail.

The House then took up

The bill to apportion anew the representatives among the several counties and districts of the State.

The pending question on which, being on the motion of Mr. Butterfield, to reconsider the vote by which the House refused to fill the blank therein with seven thousand,

The House refused to reconsider, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield,
Childs,
Church,
David Clark,
Clyburn,
Crane,

Mr. Darling,
J. B. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Irvine,

Mr. Kimberly,
Lawrence,
A. H. Moore,
Pierce,
Root,
Sherwood,
Smith,
Turner,
Waite,

29

NAYS.

Mr. Baldwin,
Barnes,
S. M. Case,
Chandler,
Darius Clark,
Corbin,
Corrigan,

Mr. Gulley,
Hicks,
Hubbell,
Hyde,
Martin,
Marvin,
Minne,

Mr. Shearer,
Shook,
Stetson,
Truesdell,
Voorties,
P. D. Warner,
Watkins,

Covert,
 Crozman,
 L. Eaton,
 Fowler,

Montgomery,
 H. M. Moore,
 Patterson,
 Sexton,

Wheeler,
 Yocum,
 Speaker,

32

Mr. Hart then moved to recommit the bill to a select committee of two, with instructions to fill the blank with four thousand five hundred, and report immediately.

Mr. Kimberly moved to amend the instructions by striking out four thousand five hundred, and inserting five thousand.

Pending the question on which,

Mr. Hyde moved a call of the House.

Lost.

The question then being on the motion of Mr. Kimberly,

Pending which,

Mr. A. H. Moore moved that the House adjourn.

Lost.

When, on motion of Mr. Root, the House took a recess until half past two o'clock, P. M.

Afternoon Session.

2½ o'clock.

The House was called to order at half past 2 o'clock,

The roll was called, and Messrs. Bacon, Gray, Gulley, Hart, Pierce, Stetson, Smith and Yocum absent without leave.

On motion of Mr. Church,

The House resumed the order of unfinished business, the same being the bill to apportion anew the representatives among the several counties and districts of this State.

The pending question on which being the motion of Mr. Kimberly to strike out "4500," in the instructions, and insert "5000."

Mr. Shearer called for a division thereof.

Mr. Gregory moved a call of the House.

Call ordered.

The roll was called and Messrs. Bacon, Calkins, and Hart absent without leave.

Mr. J. B. Eaton moved that all further proceedings under the call be dispensed with. Lost.

The Sergeant-at-arms was then dispatched to procure the attendance of the absentees.

Mr. Pierce soon thereafter appearing at the bar of the House, was permitted to render his excuse and was excused.

The Sergeant-at-Arms soon after appearing with the other absentees,

On motion of Mr. P. D. Warner,

All further proceedings under the call were dispensed with.

The question then recurring on the call of Mr. Shearer for a division of the question, the same was agreed to: and

The question being first taken on the motion to strike out 4,500, the same was agreed to, as follows:

YEAS

Mr. Bacon,
Barnes,
Calkins,
S. M. Case,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,

Mr. Crozman,
Darling,
Earl,
J. B. Eaton,
Fowler,
Hitchings,
Irvine,
Kimberly,
Marvin,
Minne,
H. M. Moore,
Pierce,

Mr. Sexton,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Watkins,
Wheeler,
Yocum,
Speaker,

35

NAYS.

Mr. Balcombe,
Baldwin,
Beecher,
Britain,
Butterfield,
Church,
Covert,
L. Eaton,
Ferry,
Fitch,

Mr. Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Lawrence,

Mr. Martin,
Montgomery,
A. H. Moore,
Patterson,
Root,
Shearer,
Voorhies,
Waite,
P. D. Warner,

29

Mr. Gregory then moved to fill the blank with 6,450.

Mr. Gray with 7,250.

Mr. Sherwood with 7000.

Mr. Fitch with 6,500.

Mr. Hitchings with 5,500.

Mr. Kimberly with 5,000.

Mr. Hubbell with 5,300.

Mr. Britain with 6,000.

Mr. Beecher with 4,800.

The question was first taken on the highest number, to wit, 7,250, and lost, as follows:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield,
Childs,
Church,
David Clark,

Mr. Clyburn,
Darling,
J. B. Eaton,
Fitch,
Gregory,
H. Hall,
S. C. Hall,

Mr. Hart,
Hitchings,
Kimberly,
Pierce,
Smith,
Turner,
Watkins,

22

NAYS.

Mr. Baldwin,
Barnes,
S. M. Case,
Chandler,
Corbin,
Corrigan,
Cover,
Crane,
Crosman,
Earl,
L. Eaton,
Ferry,
Fowler,

Mr. Gray,
Gulley,
Hicks,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Robt,
Sexton,
Sherwood,
Shook,
Shearer,
Stetson,
Truesdell,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

39

The question was then taken on 7,000 and lost, as follows:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Childs,
Church,
David Clark,
Clyburn,
Crane,

Mr. Darling,
J. B. Eaton,
Ferry,
Fitch,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Irvine,

Mr. Kimberly,
Lawrence,
A. H. Moore,
Pierce,
Root,
Sherwood,
Smith,
Turner,
Waite,

27

NAYS.

Mr. Baldwin,
Barnes,
S. M. Case,
Chandler,

Mr. Gray,
Gulley,
Hicks,
Hubbell,

Mr. Shearer,
Shook,
Stetson,
Truesdell,

Darius Clark,
Corbin,
Corrigan,
Covert,
Crosman,
Earl,
L. Eaton,
Fowler,

Hyde,
Martin,
Marvin,
Minne,
Montgomery,
H. M. Moore,
Patterson,
Sexton,

Voorhies,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

35

The question was then taken on six thousand and five hundred.
Lost, by the following vote :

YEAS.

Mr. Balcombe,
Beecher,
Butterfield,
Childs,
David Clark,
Clyburn,
Covert,
Crane,
Darling,

Mr. Fitch,
Gregory,
H. Hall,
Hart,
Hicks,
Hubbell,
Kimberly,
Lawrence,
Minne,

Mr. Patterson,
Pierce,
Root,
Sherwood,
Smith,
Turner,
Voorhies,
P. D. Warner,

26

NAYS.

Mr. Bacon,
Baldwin,
Barnes,
Calkins,
S. M. Case,
Chandler,
Church,
Darius Clark,
Corbin,
Corrigan,
Crosman,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gray,
Gulley,
S. C. Hall,
Hyde,
Irvine,
Martin,
Marvin,
Montgomery,

Mr. H. M. Moore,
Sexton,
Shearer,
Shook,
Stetson,
Truesdell,
Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

The question was then taken on six thousand four hundred and fifty.

Lost, as follows :

YEAS.

Mr. Britain,
Butterfield,
Childs,
David Clark,
Clyburn,
Covert,
Crane,
Darling,

Mr. J. B. Eaton,
Gregory,
H. Hall,
Hart,
Hicks,
Hubbell,
Irvine,
Lawrence,

Mr. Montgomery,
Pierce,
Root,
Sherwood,
Smith,
Turner,
Voorhies,
P. D. Warner, 24

NAYS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Calkins,
S. M. Case,
Chandler,
Church,
Darius Clark,
Corbin,
Corrigan,
Crosman,
Earl,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gulley,
S. C. Hall,
Hyde,
Martin,
Marvin,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Sexton,
Shearer,
Shook,
Stetson,
Truesdell,
Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

37.

The question was then taken on six thousand.

Lost, as follows :

YEAS.

Mr. Britain.
Butterfield.
Childs,
Church,
David Clark,
Clyburn,
Covert,
Fitch,

Mr. Gregory,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Kimberly,
Minne,

Mr. Montgomery.
Patterson,
Pierce,
Sherwood,
Smith,
Turner,
P. D. Warner,

23

NAYS.

Mr. Bacon,
Baldwin,
Barnes,
Calkins,
S. M. Case,
Chandler,
Darius Clark,
Corrigan,
Crane,
Crosman,
Darling,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fowler,
Gray,
Gulley,
S. C. Hall,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,
A. H. Moore,
H. M. Moore,

Mr. Root,
Sexton,
Shearer,
Shook,
Stetson,
Truesdell,
Voorhies,
Waite,
W. Warner,
Wheeler,
Yocum,
Speaker,

38

The question was then taken on five thousand and eight hundred.

Lost, as follows :

YEAS.

Mr. Butterfield,
Childs,
David Clark,
Clyburn,

Mr. Fitch,
Gregory,
Hart,
Hubbell,

Mr. Montgomery,
Pierce,
Root,
Sherwood,

Covert,
Crane,
Darling,

Kimberly,
Mians,

Smith,
Voorhies,

19

NAYS.

Mr. Bacon,
Baldwin,
Barnes,
Calkins,
S. M. Case,
Chandler,
Darius Clark,
Corrigan,
Crosmen,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,

Mr. Fowler,
Gray,
Gulley,
H. Hall,
S. C. Hall,
Hitchings,
Hyde,
Lawrence,
Martin,
Marvin,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Shearer,
Shook,
Stetson,
Truesdell,
Wait,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

37

The question was then taken on five thousand and five hundred.
Lost, as follows:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Butterfield,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,

Mr. Covert,
Crane,
Darling,
J. B. Eaton,
Fitch,
Gray,
Gregory,
Hicks,
Hitchings,

Mr. Hubbell,
Minne,
Patterson,
Pierce,
Sherwood,
Smith,
Turner,
Voorhies,
P. D. Warner,

28

NAYS.

Balcombe,
Beecher,
Calkins,
S. M. Case,
Chandler,
Darius Clark,
Crosmen,
Earl,
L. Eaton,
Fowler,
Gulley,

Mr. S. C. Hall,
Hart,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,
Montgomery,
A. H. Moore,
H. M. Moore,
Root,

Mr. Sexton,
Shearer,
Shook,
Stetson,
Truesdell,
Waite,
W. Warner,
Wheeler,
Yocum,
Speaker,

32

The question was then taken on five thousand.
Agreed to, by the following vote :

YEAS.

Mr. Balcombe,
Baldwin,
Barnes,
Calkins,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corrigan,
Crane,
Crosman,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Fowler,
Gulley,
Hitchings,
Hyde,
Kimberly,
Martin,
Marvin,
Minne,
A. H. Moore,
H. M. Moore,
Pierce,
Sexton,

Mr. Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

20

NAYS.

Mr. Bacon,
Beecher
Britain,
Butterfield,
Church,
Covert,
Darling,

Mr. Fitch,
Gray,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,

Mr. Hubbell,
Lawrence,
Montgomery,
Patterson,
Root,
Voorhies,
P. D. Warner, 21

Mr. Truesdell moved a reconsideration of the last vote.

But the House refused to reconsider.

Mr. Minne moved to amend the instructions by adding "and that all counties having a fraction of over two thousand, shall be entitled to one member additional."

Mr. Gregory moved the following amendment to the amendment:

Strike out "2,000" and insert "1,000."

Mr. Montgomery called for a division of the question.

Being first taken on striking out "2,000,"

The same was not agreed to, by the following vote:

YEAS.

Mr. Covert,
Darling,
Earl,
Gray,

Mr. Gregory,
Marvin,
Montgomery,
Pierce,

Mr. Voorhies,
P. D. Warner,
Wheeler,

11

NAYS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,

Mr. Corrigan,
Crane,
J. B. Eaton,
L. Eaton,

Mr. Hyde,
Irvine,
Kimberly,
Lawrence,

Britain,
Butterfield,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,

Ferry,
Fitch,
Fowler,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,

Martin,
Minne,
H. M. Moore,
Root,
Sexton,
Sherwood,
Shook,
Waite,
Speaker, 39

Mr. Pierce then offered an amendment to the amendment, which the chair decided not in order.

Mr. Pierce appealed from the decision of the chair.

Pending the question on the appeal,

Mr. Hubbell moved that the House adjourn.

Lost.

The question then being taken, "shall the decision of the chair stand as the decision of the House?"

It was decided affirmatively, as follows:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
S. M. Case,
Chandler,
Church,
David Clark,
Clyburn,
Corrigan,
Crane,
Darling,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Gray,
S. C. Hall,
Hart,
Hitchings,
Hyde,
Kimberly,
Lawrence,
Martin,

Mr. Minne,
A. H. Moore,
H. M. Moore,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Turner,
Waite,
Speaker,

34

NAYS.

Mr. Baldwin,
Beecher,
Britain,
Butterfield,
Calkins,
Childs,
Darius Clark,
Covert,

Mr. Crosman,
Earl,
Fowler,
Gregory,
H. Hall,
Hicks,
Hubbell,
Montgomery,

Mr. Patterson,
Root,
Stetson,
Voorhies,
P. D. Warner,
Watkins,
Wheeler,
Yocum, 24

The question was then taken on the amendment of Mr. Minne, and the same did not prevail, as follows:

YEAS.

Mr. Beecher,
Chandler,
Childs,
Ferry,
Fowler,
S. C. Hall,

Mr. Hyde,
Irvine,
Minne,
H. M. Moore,
Shook,

Mr. Stetson,
Truesdell,
Turner,
W. Warner,
Speaker,

16

NAYS.

Mr. Bacon,
Balcombe,
Barnes,
Britain,
Butterfield,
Calkins,
S. M. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Fitch,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hubbell,
Kimberly,
Lawrence,
Martin,

Mr. Marvin,
Montgomery,
A. H. Moore,
Patterson,
Pierce,
Root,
Shearer,
Sherwood,
Smith,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Wheeler,
Yocum,

45

The question then recurring on the motion to recommit, with instructions to fill with 5000,

Pending which,

Mr. Turner moved a reconsideration of the vote by which 4,500 was stricken out.

Lost, as follows:

YEAS.

Mr. Bacon,
Beecher,
Britain,
Butterfield,
Church,
Covert,
Ferry,
Gray,
Gregory,

Mr. H. Hall,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Lawrence,

Mr. Montgomery,
A. H. Moore,
Patterson,
Root,
Turner,
Voorhies,
Wait,
P. D. Warner,

25

NAYS.

Mr. Balcombe,
Baldwin,
Barnes,
Calkins,
S. M. Case,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Fitch,

Mr. Sexton,
Shearer,
Sherwood,
Shook,
Smith,

Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,

Fowler,
Gulley.
Hitchings,
Martin,
Marvin,
Minne,
H. M. Moore,
Pierce,

Stetson,
Truesdell,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

38

Mr. Church moved that the House take a recess until half-past 7 o'clock this evening.

Mr. Root moved that the House adjourn.

Lost.

The question was then taken on the motion of Mr. Church, and the same did not prevail.

Mr. Butterfield moved that the House adjourn.

Lost.

The question was then taken on the motion to recommit the bill to a select committee, with instructions to make the ratio of representation 5000, and the same agreed to.

The Speaker appointed Messrs. Hart and Corbin such committee

By unanimous consent, the Speaker announced the following message from the Executive:

EXECUTIVE OFFICE,
Lansing, March 26, 1851. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend an act entitled an act to construct dams and to improve the navigation of certain rivers, approved March 24, 1836;

An act to amend section three of an act entitled an act to incorporate the Oakland and Ottawa Railroad Company, approved April 3, 1848;

An act to amend section one of an act entitled an act to attach the county of Huron to Sanilac for Legislative and other purposes, approved April 1st, 1850.

JNO. S. BARRY.

Mr. Church moved that the House take a recess until half-past 7 o'clock, when,

On motion of Mr. Hyde,

The House adjourned.

Lansing, Thursday, March 27, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and the members all present, except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent of the House, dispensed with.

The journal was then corrected and approved.

Unanimous consent of the House was given to insert in the bill to amend sections one and three of an act entitled an act to authorize F. G. Hubinger and A. Cramer to erect and maintain a dam across Cass River, in the county of Saginaw, approved March 20, 1848, instead of the word "act," the title of the bill amended, the like consent having been given by the Senate.

PRESENTATION OF PETITIONS.

Mr. Stetson presented the petition of Henry Willis, F. M. Sanderson and 52 others, of Calhoun county; and of Franklin Clark and 52 others;

Mr. Butterfield: of F. P. Ingersoll, John Groves and 89 others of Berrien county; and

Mr. Pierce: of John Dusenbury, Jr., and 174 others of Calhoun county;

All asking for the passage of an act authorizing the Michigan Central rail road company to take stock in the Canada rail road, and remonstrating against legislation in favor of the Michigan Southern rail road company, until the Central rail road company shall have obtained the right to extend its road through Northern Indiana to the Illinois line.

Severally referred to the committee of the whole and placed on the special order.

Mr. Hart presented the petition of Mr. East, Mr. West, Mr. North Mr. South and 100,000 other citizens of Michigan, praying for equal and impartial legislation.

Mr. Hyde moved to lay it on the table.

Mr. Turner moved to lay it on the table and print.

Mr. Turner debating the question, was called to order by Mr. Hyde.

The Chair decided the question to print debatable.

Mr. Turner proceeding to debate the question, was again called to order by Mr. Hyde.

Mr. Turner had permission to proceed in order.

The question was taken on the motion to lay on the table and print; and the same was not agreed to.

Mr. Hyde then moved its indefinite postponement; which, after some debate, he withdrew.

Mr. Church then moved a reconsideration of the vote by which the House refused to lay on the table and print; which, after some debate, he withdrew.

Mr. Pierce then moved to refer the petition to the special order.

Mr. S. C. Hall moved to refer to the committee on Indian affairs.

Mr. Darling moved to lay on the table.

Lost, as follows:

YEAS.

Mr. Baldwin,
S. M. Case,
Chandler,
Corrigan,
Darling,
Fitch,
S. C. Hall,
Hubbell,

Mr. Hyde,
Irvine,
Martin,
Marvin,
H. M. Moore,
Shook,
Smith,

Mr. Stetson,
Truesdell,
Town,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,

22

NAYS.

Mr. Bacon,
Balcombe,
Barnes,
Butterfield,
D. L. Case,
Childs,
Church,
David Clark,
Clyburn,
Covert,
Crane,
J. B. Eaton,

Mr. Ferry,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Kimberly,
Lawrence,
Minne,
Montgomery,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Turner,
Voorhies,
Waite,
Watkins,
Speaker,

35

The question was then taken on the motion to refer to the special order and agreed to.

Mr. Ferry presented the petition of Wm. R. Godwin and 24 others, praying the vacation of a part of the village plat of Grandville in Kent county.

Ordered laid on the table.

Mr. Clyburn presented the remonstrance of David Long and 42 others, and of Lewis Edwards and 35 others, of Cass and Berrien counties, against the obstruction of a certain stream therein mentioned by mill dams.

Referred to the committee on internal improvements.

Mr. Hyde presented the petition of S. P. Wilcox and 300 other citizens of Wayne county, asking the passage of a law authorizing the Central railroad company to aid in the construction of a road through Canada, and remonstrating against any legislation in favor of the Southern railroad, until the Central railroad has secured the right of way around Lake Michigan, through Indiana, to the Illinois line.

Mr. Hart moved to lay on the table.

Lost.

It was then referred to the committee of the whole and placed on the special order.

Mr. J. B. Eaton presented the petition of Minard F. Cook and 100 citizens of Jackson county, for the passage of a law authorizing the Central railroad company to take stock in the Canada railroad, and remonstrating against legislation in favor of the Michigan Southern railroad, until the Central railroad company shall have obtained the right to extend its road through Northern Indiana, to the Illinois line.

Mr. Hart moved its indefinite postponement.

Lost.

It was then referred to the committee of the whole and placed on the special order.

REPORTS.

Mr. Church, from the judiciary committee, to which was referred sundry petitions relative thereto, reported

A bill relative to the lien of mechanics, and others;

Recommended its passage and asked to be discharged from further consideration thereof.

The report was accepted, the committee discharged, and the bill read twice, referred to the committee of the whole and placed on the general order.

Mr. Hyde, from the committee on State affairs, reported

Joint resolution relative to the claim of Robert H. Murray.

Read a first and second time, referred to the committee of the whole and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hubbell offered the following resolution:

Resolved, That the Secretary of State communicate to the House the number of negroes or colored persons in each county in this State, at his earliest convenience.

Adopted.

By unanimous consent of the House,

Mr. Kimberly introduced,

A bill to authorize the supervisors of the county of Shiawassee to loan money to finish their court house, redeem their county orders, and subscribe for stock in the Corrunna and Saginaw plank road company.

Read twice, laid on the table and ordered printed.

Mr. H. M. Moore, by unanimous consent, introduced

A bill to attach certain townships in the county of Montcalm to the townships of Bushnell and of Fair Plain, in said county of Montcalm.

Read twice and referred to the committee on towns and counties.

Mr. Ferry gave notice that he would, on some future day, move for leave to introduce

Bills to vacate the village plat of Charleston in the county of Ottawa, and a part of the village of Grandville in the county of Kent.

Mr. Darling offered the following resolution:

Resolved, That there be appointed a committee of nine to be composed of one member from each judicial circuit, and one at large, to enquire into the state and progress of business in this House, and to report on the morning of each day from and after Monday next, such order and precedence in respect to bills introduced or to be introduced, as will, in their opinion, mature the more important business of the session and advance the permanant interests of the public.

On motion of Mr. Hyde,

Ordered laid on the table.

Mr. Truesdell moved that the special committee to whom was referred the bill to apportion the Representatives, be instructed to report forthwith.

Mr. Hart moved to lay on the table.

Lost.

Mr. Hart then moved its indefinite postponement.

Lost.

The resolution was then adopted.

Mr. Kimberly offered the following:

Whereas, A difference of opinion is entertained by members of the Legislature bearing upon the true construction of section 15 of article four of the constitution; therefore

Resolved, That the Attorney General be requested to communicate to this House in writing, his opinion whether sec. 15 of article 4 of the constitution prohibits the members of this Legislature from receiving any per diem allowance from and after the sixtieth day of the present session, if the session should continue after that day.

Lost.

By unanimous consent, Mr. Shearer introduced

A bill to amend sec. 4 of an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes.

Read a first and second time and referred to the committee of ways and means.

Mr. Shook gave notice that he would on some future day ask leave to introduce

A bill to amend an act entitled an act to incorporate the Clinton Institute.

Mr. Shearer, by unanimous consent, introduced joint resolution to appoint delegates to the World's Fair.

Mr. D. L. Case moved to lay it on the table.

Lost.

Mr. Shearer moved to lay on the table and print.

Agreed to.

Mr. Britain, by unanimous consent, introduced a bill directing the publication of a statement of lands to be sold in the county of Cass in 1851.

Read a first and second time, when.

Mr. Britain asked a suspension of the rules and that said bill be now read the third time and passed.

Agreed to.

Mr. Darius Clark then offered the following amendment:

Strike out "National Republican" and insert "Cass County Advocate," in third line of section one.

And after some debate,

Mr. Hubbell moved the previous question, which was demanded.

The question then being, "shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment of Mr. Darius Clark, and the same not adapted.

The question then being, shall the bill now pass? the same was agreed to, as follows:

YEAS.

Mr. Bacon,	Mr. L. Eaton,	Mr. Patterson,
Barnes.	Fitch,	Root,
Britain,	Fowler,	Sexton,
Butterfield,	Gregory,	Shearer,
S. M. Case,	S. C. Hall,	Sherwood,
Chandler,	Hart,	Shook,
Childs,	Hicks,	Town,
Church,	Hitchings,	Turner,
David Clark,	Hubbell,	Voorhies,
Corbin,	Hyde,	Waite,
Corrigan,	Irvine,	P. D. Warner,
Covert,	Lawrence,	Watkins,
Darling,	Martin,	Speaker,
J. B. Eaton.	Minne,	

41

NAYS.

Mr. Balcombe,	Mr. Earl,	Mr. Pierce,
Baldwin,	Ferry,	Stetson,
Beecher,	Gray,	Truesdell,
Calkins,	H. Hall,	W. Warner,
Darius Clark,	Kimberly,	Wheeler,
Clyburn,	Marvin,	Yocum,
Crane,	Montgomery,	

20

The question was then taken, shall this act take immediate effect? and the same was decided in the negative.

Mr. Irvine moved to reconsider the vote by which the Secretary

of State was required to furnish the House with the number of colored persons in each county.

Mr. Minne moved to lay the motion on the table.

Lost.

Mr. Hart moved its indefinite postponement.

And after some debate,

Mr. Irvine withdrew his motion.

Mr. Irvine, by unanimous consent, introduced

A bill to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846.

Read twice, laid on the table and ordered printed.

THIRD READING OF BILLS

A bill to change the names of Elizabeth J. Robson and Catharine Robson,

Was then read a third time and passed, as follows:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

53

NAYS.

Mr. Covert,
Marvin,

Mr. Pierce,

Mr. Smith,

4

The House then by a vote of two-thirds of all the members elected directed that it take effect immediately.

A bill to amend sections 25 and 26 of chapter 123, title 24, of the revised statutes of 1846, concerning proceedings to recover the possession of land in certain cases.

Was read a third time and passed as follows:

YEAS.

Mr. Barnea,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
S. C. Hall,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Root,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
Voorhies,
Watkins,

41

NAYS.

Mr. Balcombe,
Baldwin,
Calkins,
Covert,
Crosman,
Gray,

Mr. H. Hall,
Marvin,
Patterson,
Pierce,
Sexton,
Stetson,

Mr. Truesdell,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

18

A bill to amend an act to provide for the appraisal of certain lands in Berrin county,

Was then read a third time and passed by the following vote:

YEAS.

Mr. Balcombe,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Corbin,
Corrigan,
Covert,
Crane,
Darling,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gregory,
Gulley,
H. Hall,
Hitchins,
Hubbell,
Hyde,
Lawrence,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Root,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
Voorhies,
P. D. Warner,
Yocum,
Speaker,

42

NAYS.

Mr. Baldwin,
Barnes,
Clyburn,
Fitch,

Mr. Irvine,
Marvin,
Pierce,
Sexton,

Mr. Stetson,
Truesdell,
W. Warner,
Wheeler,

12

The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

UNFINISHED BUSINESS.

The House then took up, under the order of unfinished business,

A bill to amend an act entitled an act to provide for organizing an active militia, and for other purposes, approved May 18th, 1846.

The question on which, being on concurring in the amendments made in committee of the whole,

Pending which,

On motion of Mr. Britain,

It was recommitted to the committee on militia without instructions.

The House then took up

A bill to provide for taking the census and statistics for the year 1854, and every ten years thereafter,

The question on which, being on concurring in the amendments of the committee of the whole, the following were non-concurred in:

In section 3, to insert the words "or representative."

Also the following was non-concurred in:

Sec. 14, line 2, strike out "not exceeding two hundred," and insert "not less than one hundred."

The following was also non-concurred in:

Amend section 7, line 6, by striking out "with," and inserting after "stone," the words "and the number of barrels of flour manufactured the preceding year."

The remainder of the amendments made in committee of the whole, were then concurred in.

Mr. Gregory then offered the following amendment to section 7, line 4, insert after the word "aggregate," "also the number of bushels of apples, pears and peaches."

Adopted.

Mr. Gray moved that the House adjourn.

Lost.

Mr. Hyde offered the following amendment:

Add to section 6, "and the number of marriages, the number of births, and the number of deaths the preceding year."

Adopted.

Mr. Britain then offered the following amendment:

Sec. 9, line 2, strike out "for taking said census and statistics."

Adopted.

Mr. Darius Clark then offered the following amendment:

Insert in section 7, line 7, after the word "sawed," "the number of thousand shingles sawed."

Adopted.

Mr. Ferry then offered the following amendment:

Strike out the word "same," in line 3, section 9, and insert "the census and statistics."

Adopted.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Crosman,

The House adjourned.

Afternoon Session.

2½ o'clock.

The House was called to order by the Speaker.

The roll was called, and Messrs. Baldwin, Butterfield, Chandler, Earl, Fowler, Martin, Marvin, A. H. Moore, Pierce, Sexton and Truesdell, absent without leave.

The House then went into committee of the whole on the special order.

Mr. Root in the chair.

After a short time the committee rose and made no report.

Mr. Kimberly moved a call of the House.

The call ordered.

Mr. Hart moved that all further proceedings under the call be dispensed with.

Lost.

The roll was called, and Messrs. Baldwin, Butterfield and Truesdell were absent without leave.

Mr. Hyde moved that all further proceedings under the call be dispensed with.

Agreed to.

Mr. Hart moved that the House go into committee of the whole on the special order.

Lost, as follows:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. Kimberly,
Barnes,	J. B. Eaton,	Lawrence,
Britain,	L. Eaton,	Minne,
Corrigan,	Gray,	Montgomery,
D. L. Case,	Gregory,	A. H. Moore,
Childs,	H. Hall,	Root,
Covert,	Hart,	Waite,
Crane,	Hicks,	Watkins,
Crosman,	Hitchings,	Speaker,
Darling,		

28.

NAYS.

Mr. Balcombe,	Mr. Gulley,	Mr. Shearer,
Beecher,	S. C. Hall,	Sherwood,
Calkins,	Hubbell,	Shook,
S. M. Case,	Hyde,	Smith,
Chandler,	Irvine,	Stetson,
Church,	Martin,	Town,
Darius Clark,	Marvin,	Voorhies,
David Clark,	H. M. Moore,	P. D. Warner,
Clyburn,	Patterson,	W. Warner,
Ferry,	Pierce,	Wheeler,
Fitch,	Sexton,	Yocum,
Fowler,		

34.

PRESENTATION OF PETITIONS.

Mr. Clyburn: of Mr. T. Garvey and 130 others, of Cass county, against the passage of any law authorizing the Southern Railroad Company to leave the State without securing to the Central Railroad Company the right of way around Lake Michigan through Indiana.

Referred to the special order.

Mr. Beecher: the memorial of D. Burroughs and 50 others, in relation to the Oakland and Ottawa Railroad charter.

Laid on the table.

REPORTS.

Mr. Irvine, from the committee on education, reported

A bill to authorize the re-apportionment of certain primary school interest moneys in the county of Branch.

Read twice and referred to the committee of the whole and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Bacon gave notice that on some future day he would ask leave to introduce

A bill to authorize the State treasurer to purchase of John Farmer Esq., of the city of Detroit, such number of "Farmer's Maps," for the use of each school district in the State as may hereafter be determined on by this House.

Mr. Crosman moved to discharge the committee of the whole from the bill to provide for the collection of taxes in the township of Phelpsstown, Ingham county.

Agreed to.

Mr. Hyde moved a reconsideration of the last vote.

Lost.

On motion of Mr. Crosman,

The bill was then ordered laid on the table.

Mr. Truesdell offered the following resolution:

Resolved, That the select committee to whom was referred the bill to apportion the representatives be required to report immediately.

Adopted.

UNFINISHED BUSINESS.

The House then took up

A bill to vacate a portion of the plat of the village of Mottville;

Which, on motion of Mr. A. H. Moore,

Was ordered laid on the table.

A bill to authorize the incorporation of bridge companies,

Was also taken up, and the question being on concurring in the amendment made in committee of the whole, the same was concurred in.

Mr. Church then offered the following amendment:

Strike out all after "State," in line 12 of sub-division 6 of section, 2.

Adopted.

Mr. Church also offered the following amendment:

Strike out "such," in line 4, and insert "each."

Adopted.

Mr. Church then offered the following amendment:

Sec. 5, line 3, strike out "unless," and insert "and if."

Mr. Church then offered the following amendment:

Sec. 12, line 4, strike out "our" and insert "by."

Also the following:

Sec. 10, line 3, strike out "ownership" and insert "township."

Adopted.

Mr. Britain offered the following:

Sec. 15, strike out all after "act," in line 1, and insert "and all companies formed under this act shall at all times be subject to all general laws relative to bridge companies."

Adopted.

Mr. Church then offered the following amendment:

Line 6, section 13, strike out the words "in which."

Adopted.

Mr. P. D. Warner offered the following amendment:

Amend section 6 by adding to said section, "together with all damages that may be sustained by reason of such bridge not being kept in repair."

Adopted.

Mr. Kimberly offered the following amendment, which was adopted:

Amend section 15, line 1, by inserting the word "or," between the words "alter," and "amend;" also, strike out the words "or repeal," in the same line.

The bill was then ordered engrossed and read the third time.

A bill to provide for filling vacancies that exist or may occur in certain judicial offices,

Was ordered engrossed and read the third time.

A bill to provide for taking the census and statistics of this State, was ordered laid on the table.

A bill for the better security of innkeepers, and others, the amendment to which, in committee of the whole, was to strike out all after the enacting clause, was concurred in.

On motion of Mr. Darling,

The enacting clause was indefinitely postponed.

A bill to amend sections 4, 5, 6 and 11, and to repeal section 17 of an act to amend an act entitled an act to incorporate the Cotton Wood Swamp Turnpike Company, approved March 9, 1844,

Was ordered engrossed for a third reading.

A bill to amend the second and fourth sections of an act to incorporate the Erin and Mt. Clemens plank road company, approved March 20, 1850,

Was ordered engrossed and read the third time.

A bill to amend an act to incorporate the Lansing Coal company, approved March 28, 1849,

Being under consideration,

Mr. P. D. Warner moved to lay on the table and print.

Lost.

The bill was then ordered engrossed for a third reading.

A bill to provide for the organization and powers of the Supreme court,

Being under consideration,

Mr. Darling offered the following amendment thereto:

Amend section 30, line 1, by inserting after "court," the words "with the reasons therefor."

Adopted.

The bill was then ordered to be engrossed for a third reading.

Mr. Church moved a suspension of the rules in order to take from the table

A bill relative to the reports of the decisions of the supreme court.

Agreed to.

On motion of Mr. Church,

The bill was then taken from the table, when

Mr. Truesdell offered the following amendment thereto:

In line 4, strike out "eight," and insert in lieu thereof "five."

Lost.

The bill was then ordered engrossed for a third reading.

Mr. Britain moved a reconsideration of the vote by which was ordered engrossed for a third reading, the bill authorizing the incorporation of bridge companies.

Which, after some conversation, he withdrew.

The House went into committee of the whole on the special order, Mr. Root in the chair.

After some time spent thereon, the committee rose, and through their chairman, reported back

A bill to amend an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846; and

A bill to amend an act entitled an act to authorize the sale of the Central Railroad and to incorporate the Michigan Central Railroad Company, approved March 28, 1846,

Each with amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration of said bills.

The report was accepted, the committee discharged, the bills ordered laid on the table and the amendments printed.

By consent, the Speaker, announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 27, 1851. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House of Representatives,

1. A bill to provide for the construction of a bridge across Grand River, in the village of Jackson,

2. A bill to amend an act entitled an act to amend an act to incorporate the Indiana and Adrian plank road company, approved April 3, 1850;

3. A bill to amend chapter 79 of the R. S.; and

4. A bill to authorize the treasurer of the township of Ridgeway, Lenawee county, to collect certain taxes;

And to respectfully inform you that the Senate have concurred therein by a vote of two-thirds of all the Senators elect, with amendments, in which the concurrence of the House is respectfully asked.

Also to return,

5. A bill to establish a circuit court in the county of Montcalm;

6. A bill to amend section 6 of chapter 84 of title 20 of the revised statutes, relative to divorces;

Each of which the Senate have passed, without amendment.

I am also instructed to transmit herewith,

7. A bill to incorporate the village of Mt. Clemens;

8. A bill prescribing the duties of the Superintendent of public instruction, and to repeal chapter 56 of the revised statutes of 1846, and an act to amend said chapter 56, approved March 29, 1850;

9. A bill to provide for publishing the statistics of this State, taken by authority of the United States in 1850;

10. A bill to amend section 2 of an act to incorporate the Monroe and Saline plank road company, approved April 3, 1848;

11. A bill to amend section 22 of an act relative to plank roads, approved March 13, 1848, in reference to subscriptions of stock;

12. A bill to perfect the organization of the county of Delta, in the upper peninsula;

13. A bill to perfect the organization of the county of Ontonagon, in the Upper Peninsula; and

14. A bill to authorize the formation of insurance companies;

All of which the Senate have passed by a vote of two-thirds of all the Senators elect, and have by a like vote ordered the 4th, 6th, 8th and 9th named bills to take immediate effect, and in which the concurrence of the House of Representatives is respectfully asked.

Respectfully,

O. W. MOORE,

Sec'y of Senate.

The amendments to the four first named were severally concurred in, and the bills as amended ordered enrolled.

The 5th and 6th were severally ordered enrolled.

The 7th, 12th and 13th were severally twice read and referred to the committee on towns and counties.

The 8th was twice read and referred to committee on education.

The 9th was twice read and referred to committee on State affairs.

The 10th and 14th were severally twice read and referred to committee on banks and incorporations.

The 11th was twice read and referred to committee on the judiciary:

On motion of Mr. Church,

The House adjourned.

Lansing, Friday, March 28, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called and the members all present except those excused on account of sickness.

By unanimous consent, the reading of the journal of yesterday was dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Sherwood presented the petition of J. Lofland and 58 others, citizens of Cass county;

Mr. Butterfield: of Wm. B. Beeson, H. Griswold and 241 others, citizens of the county of Berrien;

Mr. Chandler: of C. W. Chapel and 112 others, citizens of Macomb county;

Mr. Pierce: of B. Banks and 49 others, citizens of Calhoun county;

Mr. Fowler: of J. W. Stansbury and 43 others, citizens of Livingston county;

Mr. Truesdell: of Michael Foster and 139 others, citizens of Washtenaw county; and

Mr. Fitch: the petition of James Lee and 51 others, citizens of Van Buren county,

All asking for the passage of an act authorizing the Michigan Central railroad company to aid in constructing the Canada railroad, and remonstrating against any further legislation in favor of the Michigan Southern railroad company, until the Central railroad company shall have obtained the right to extend its road through Northern Indiana to the Illinois line.

Severally ordered laid on the table.

Mr. David Clark: the petition of Stephen Pearl, treasurer of Clinton county, relative to the collection of non-resident taxes.

Referred to the committee of ways and means.

Mr. Sexton: the petition of D. C. Kelley, A. J. Hartwell and 38 others, asking a repeal of the laws creating the board of Auditors, and conferring their duties on the board of supervisors. j

Referred to the committee on towns and counties.

Mr. S. C. Hall: the petition of H. A. Goodyear, N. Barlow, Jr., and 49 others, citizens of Barry county, praying for alteration of tax laws so that taxes may be collected in the counties.

Referred to the committee on ways and means.

Mr. Crane: the petition of Nelson Greene and 104 others, citizens of Lenawee county, praying that this Legislature pass a law to prohibit the sale of intoxicating liquors as a beverage.

Referred to the select committee on the license laws.

Mr. Hyde: the petition of E. H. Rogers, A. S. Bagg and 25 others, citizens of Detroit, praying for an alteration in the law establishing the police court in said city.

Referred to the committee on the judiciary.

Mr. Hyde: the petition of Henry Ledyard and 454 others of Wayne county, for the passage of a law authorizing the Michigan Central rail road company to take stock in the Canada rail road, and remonstrating against any further legislation in favor of the Michigan Southern rail road company, until the Central rail road company shall have secured for its road the right of way through Indiana to the Illinois line.

Mr. Hart moved its indefinite postponement.

Lost.

It was then ordered laid on the table.

REPORTS.

Mr. Irvine, from the committee on education, to whom was referred

A bill to amend section 76, chapter 58, title 11 of the revised statutes of 1846, relative to primary schools; and

A bill prescribing the duties of the Superintendent of Public Instruction and to repeal chapter 56 of revised statutes of 1846, and an act to amend said chapter 56, approved March 29, 1850,

Reported the same back without amendment, recommended their passage and asked to be discharged from their further consideration.

The report was accepted and the committee discharged.

On motion of Mr. Beecher,

The first named was ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Fitch,	Mr. H. M. Moore,
Balcombe,	Gray,	Patterson,
Baldwin,	Gulley,	Pierce,
Barnes,	H. Hall,	Root,
Beecher,	S. C. Hall,	Sexton,
Calkins,	Hart,	Shearer,
D. L. Case,	Hitchings,	Sherwood,
S. M. Case,	Hubbell,	Shook,
Childs,	Hyde,	Stetson,
Darius Clark,	Irvine,	Truesdell,
David Clark,	Kimberly,	Town,
Clyburn,	Lawrence,	Voorhies,
Corbin,	Martin,	P. D. Warner,
Grosman,	Minne,	W. Warner,
Darling,	Montgomery,	Watkins,
Earl,	A. H. Moore,	Wheeler,
Ferry,		49

NAYS.

Mr. Butterfield,	Mr. L. Eaton,	Mr. Yocum,
Crane,	Fowler,	Speaker,
J. B. Eaton,	Gregory,	8

The last named was referred to the committee of the whole and placed on the general order.

Mr. Shearer submitted the following report:

The select committee appointed to wait on the Rev. S. A. Baker and request a copy of the very able lecture delivered in the Hall of the House of Representatives on the 14th inst., on education, have performed their duty, and received the lecture in writing, and would recommend that it be printed.

J. SHEARER, Ch'n.

On motion of Mr. Minne,

Ordered laid on the table and 240 copies printed.

Mr. Church, from the committee on the judiciary, to which was referred

A bill to amend section 22 of an act relative to plank roads, approved March 13, 1848, in reference to subscriptions to stock;

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill placed on the general order and referred to the committee of the whole.

Mr. Church also submitted the following report:

The committee on the judiciary, to whom was referred the petition of N. J. Danells and others, praying amongst other things, the enactment of a law regulating the number of justices of the peace to be elected in each township in the State, have had so much of said petition as relates to the last mentioned subject, under consideration, and have instructed me to report the said petition back to the House, and recommend its reference to the committee on education, that said committee can take into consideration such parts thereof as pertain more particularly to the subjects had in charge by said committee.

THOS. B. CHURCH, Ch'n.

The report was accepted, the committee discharged, and the petition referred to the committee on education.

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred

A bill to amend an act to incorporate the Peninsular Mutual Fire and Marine insurance company, approved March 12, 1844;

A bill to amend an act entitled an act to incorporate the Detroit and Lake St. Clair plank road company;

A bill to authorize the formation of corporations for mining, smelting and manufacturing iron, copper and silver ores, and

A bill to provide for notices of applications for alterations and amendments of the charters of corporations,

Reported the same back, recommended their passage and asked to be discharged.

The report was accepted, the committee discharged, and the bills referred to the committee of the whole and placed on the general order.

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred

A bill to authorize certain townships and villages to take stock in the Port Huron and Lapeer plank road company;

A bill to amend sections 1 and 2 of an act entitled an act to incorporate the Cassopolis and Dowagiac plank road company, approved March 25, 1850, and

A bill to amend section 2 of an act to incorporate the Flint and Fentonville plank road company, approved April 8, 1848,

Reported the same back without amendment, recommended their passage, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, the two first named bills referred to committee of the whole and placed on the general order.

The third named was,

On motion of Mr. Beecher,

Ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. A. H. Moore,	
Balcombe,	J. B. Eaton,	H. M. Moore,	
Baldwin,	L. Eaton,	Patterson,	
Barnes,	Ferry,	Pierce,	
Beecher,	Fitch,	Root,	
Butterfield,	Fowler,	Sexton,	
Calkins,	Gray,	Shearer,	
D. L. Case,	Gulley,	Sherwood,	
Chandler,	H. Hall,	Shook,	
Childs,	S. C. Hall,	Stetson,	
Church,	Hart,	Truesdell,	
Darius Clark,	Hitchings,	Town,	
David Clark,	Hubbell,	Turner,	
Clyburn,	Hyde,	Waite,	
Corbin,	Irvine,	P. D. Warner,	
Corrigan,	Lawrence,	W. Warner,	
Covert,	Martin,	Watkins,	
Crane,	Marvin,	Wheeler,	
Crosman,	Minne,	Yocum,	
Darling,	Montgomery,	Speaker,	60

NAYS.

0

Mr. Darius Clark, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred a petition of the citizens of Lansing, praying that the Board of Auditors be authorized to make certain improvements, have had the same under consideration, and instructed me to report a bill, recommend its passage, and ask to be discharged from its further consideration.

DARIUS CLARK, Ch'n.

The report was accepted, the committee discharged, the bill entitled a bill authorizing certain improvements on the school section in the village of Lansing, read a first and second time, referred to the committee of the whole and placed on the general order.

Mr. Hart, from the select committee to whom the matter was referred, submitted the following report:

The select committee of two, to whom was referred the bill to apportion anew the Representatives of the State in the State Legislature, with instructions to fill the blank in said bill with 5,000, have at last accomplished the task imposed upon them, and have instructed me to report the same back to the House and ask to be discharged.

N. H. HART, Ch'm.

The report was accepted, the committee discharged and the amendment concurred in by the following vote:

YEAS.

Mr. Baldwin,
Barnes,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Fowler,
Gulley,
Hitchings,
Hyde,
Kimberly,
Martin,
Marvin,
Minne,
H. M. Moore,
Pierce,

Mr. Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
W. Warner,
Watkins,
Wheeler,
Yocum,

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NAYS.

Mr. Bacon,
Balcombe,
Beecher
Britain,
Butterfield,
Church,
Darius Clark,
David Clark,
Covert,
Darling,

Mr. Ferry,
Fitch,
Gray,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Irvine,

Mr. Lawrence,
Montgomery,
Patterson,
Root,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker,

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Mr. Hart moved that the bill be now read a third time.

Pending which,

Mr. Irvine offered the following amendment:

Strike out in line 22 the words "which" and "Mackinac," and insert in lieu of "Mackinac," the words "Grand Traverse."

Adopted.

Mr. J. B. Eaton moved to lay on the table.

Lost.

Mr. D. L. Case offered a substitute for the bill.

Pending the question on which,

Mr. Crosman moved to make the whole subject special order of the day on Monday next.

Agreed to, by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. Lawrence,
Palcombe,	L. Eaton,	Minne,
Beecher,	Ferry,	Montgomery,
Britain,	Fitch,	Patterson,
Butterfield,	Gray,	Root,
Church,	Gregory,	Shearer,
Darius Clark,	H. Hall,	Town,
David Clark,	S. C. Hall,	Turner,
Corrigan,	Hart,	Voorhies,
Covert,	Hicks,	Waite,
Crane,	Hubbell,	P. D. Warner,
Crosman,	Irvine,	Speaker,
Darling,	Kimberly,	32

NAYS.

Mr. Barnes,	Mr. Gulley,	Mr. Sherwood,
D. L. Case,	Hitchings,	Shook,
S. M. Case,	Martin,	Stetson,
Chandler,	Marvin,	W. Warner,
Clyburn,	H. M. Moore,	Watkins,
Corbin,	Pierce,	Wheeler,
Fowler,	Sexton,	Yocum,
		21

The Speaker announced a communication from the Attorney General, in writing.

On motion of Mr. P. D. Warner,

Ordered laid on the table and printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Sherwood offered the following resolution:

Resolved, That the constitution of this State be printed as an appendix to the Session Laws of 1851, to be distributed with those laws.

Adopted.

Mr. Pierce, by consent, introduced

Joint resolution relative to the continuance of this session of the Legislature.

Read a first and second time, and referred to the committee on the judiciary.

Pursuant to previous notice,

Mr. Ferry asked and obtained leave to introduce

A bill to vacate the village plat of Charleston, in the county of Ottawa.

Read a first and second time and referred to the judiciary committee.

Also, pursuant to previous notice,

A bill to vacate the village plat in part of the village of Grandville, in the county of Kent.

Read a first and second time and referred to the judiciary committee.

Mr. Kimberly gave notice that on some future day he would ask leave to introduce

A bill to recover moneys in certain cases paid for taxes upon tax title lands.

Mr. A. H. Moore, pursuant to previous notice, on leave, introduced

A bill to provide for the re-assessment of certain taxes of 1850, in the township of Montcalm, in the county of Montcalm.

Read a first and second time and referred to the committee of ways and means.

By unanimous consent,

Mr. Sexton introduced

A bill to amend sections 3 and 5 of an act entitled an act to incorporate the Monroe and Dearborn plank road company, approved February 18, 1850.

Read a first and second time, and referred to the committee on banks and incorporations.

Mr. Hart gave notice that on some future day he would move for leave to introduce

A bill to detach certain territory from the county of Tuscola and attach the same to Lapeer county.

Mr. Church offered the following resolution:

Resolved, That Mr. Hoyt, who is a graduate of the New York Blind Asylum, be allowed the use of this Hall this evening, for the purpose of giving a musical concert, in which he will illustrate the manner in which blind pupils are taught reading, writing, &c.

Adopted.

Mr. Shearer moved to discharge the committee of the whole from the further consideration of the bill to amend the charter of the Plymouth plank road company.

Agreed to.

On motion of Mr. Shearer,

The bill was laid on the table.

On motion of Mr. Hyde,

The committee of the whole were discharged from the further consideration of

The bill to amend an act to incorporate the Peninsular mutual fire and marine insurance company, approved March 12, 1844.

And the bill was then ordered engrossed for a third reading.

By unanimous consent,

Mr. Gregory introduced

A bill to amend chapter 114 of the revised statutes of 1846, entitled of proceedings against debtors by attachment.

Ordered laid on the table and printed.

Mr. Hyde moved a reconsideration of the vote by which

A bill to amend an act to incorporate the Peninsular mutual fire and marine insurance company, approved March 12, 1844, was ordered engrossed for a third reading.

Agreed to.

Mr. Hyde then moved that the bill be now read a third time.

Lost.

The bill was then ordered engrossed for a third reading.

The House having arrived at the general order, went into committee of the whole thereon,

Mr. Hyde in the chair.

After some time spent thereon, the committee rose, and through their chairman, reported back

Joint resolution relative to primary school lands, and

A bill to amend sections 44, 46 and 47 of chapter 12 of the revised statutes of 1846, relative to the board of State auditors;

Each without amendment, and asked to be discharged from the further consideration thereof; also,

A bill to provide for the appraisal and to reduce the minimum price of university lands,

In which the committee had made some progress, and asked leave to sit again.

The report was accepted, the committee discharged from the further consideration of the two first bills, and had leave to sit again on the last named.

The first and second were severally ordered engrossed for a third reading.

On motion of Mr. Hyde,

The House adjourned.

Afternoon Session.

Half-past 2 o'clock.

The House was called to order by the Speaker.

The roll was called and the members all present except those excused on account of sickness, and Messrs. Gray, Minne and Kimberly, absent without leave.

Mr. Stetson asked leave of absence for Mr. Gray, on account of sickness. Granted.

Mr. D. L. Case asked a suspension of the rule requiring the afternoon sessions of the House to be devoted to the consideration of the general order.

Lost.

The House then resolved itself into committee of the whole on the general order,

Mr. Church in the chair.

After some time spent thereon, the committee rose, and through their chairman reported that the committee had had under consideration,

1. A bill to provide for the appraisal and to reduce the minimum price of university lands;

2. A bill conferring additional powers upon judges of probate, and providing for the administration of the estates of deceased persons;

3. A bill to provide for assessing property at its true value, and for levying and collecting taxes thereon;

4. Joint resolution authorizing the commissioner of the State land office to sell certain normal school land in the county of Macomb, to A. Ashley;

5. A bill supplemental to an act entitled an act to incorporate the St. Clair plank road company, approved April 2, 1849;

6. A bill to amend section 9 of an act entitled an act to provide for funding the outstanding internal improvement warrants of this State and the interest due thereon; and also for liquidating and funding the amount of principal and interest actually due upon the part paid five million loan bonds, approved April 1, 1848;

The 1st, 2d and 3d with amendments, the 4th, 5th and 6th without amendment, and in all which they asked the concurrence of the House, and to be discharged from further consideration of said bills.

The report was accepted and the committee discharged from further consideration of the 1st, 2d, 4th and 5th named, and had leave to sit again on the 3d named:

On motion of Mr. Britain,

The 6th named was ordered laid on the table and printed:

By unanimous consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 28, 1851. }

To the Speaker of the House of Representatives:

Sir—I am instructed to transmit herewith,

1. A bill to provide for the payment of the indebtedness of the State;

2. A bill to provide for the formation of companies to construct plank roads, and

3. A bill to provide for publishing the annual report of the Michigan State Agricultural Society,

Which the Senate have passed, the two first named by a vote of

two-thirds of all the Senators elect, and in all which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

Secretary of the Senate.

The first named was read twice and referred to the committee of ways and means.

The second was read twice and referred to committee on banks and incorporations.

The third was read twice, and referred to the committee on agriculture and manufactures.

On motion of Mr. Root,

The House adjourned.

Lansing, Saturday, March 29, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called, and the members were all present except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Truesdell: the petition of James Kingsley, E. W. Morgan and 477 other citizens of Washtenaw Co., for the passage of a law authorizing the Central railroad company to aid in the construction of the Canada railroad, and remonstrating against further legislation in favor of the Michigan Southern railroad company, until the Central railroad company shall have obtained the right of way through Indiana, to the Illinois line.

Ordered laid on the table.

Mr. Hyde: the remonstrance of C. O'Flynn, Jas. A. Hicks and 530 other citizens of Wayne county, against abolishing the board of county auditors of said county.

Referred to the committee on towns and counties.

Mr. Sexton: the petition of D. J. Campau and 45 others of the city of Detroit, asking the passage of an act to abolish the board of county auditors in the county of Wayne, and to transfer their powers and duties to the board of supervisors.

Referred to the committee on towns and counties.

REPORTS.

Mr. Shearer, from the committee on agriculture and manufactures, to whom was referred

A bill to provide for publishing the annual report of the Michigan State Agricultural Society,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Hubbell, from the committee on engrossment and enrollment reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to provide for the construction of a bridge across Grand River, in the village of Jackson,

An act to amend section 3 of an act entitled an act to amend an act to incorporate the Indiana and Adrian plank road company, approved April 3, 1850;

An act to establish a circuit court in the county of Montcalm;

An act to amend section 6 of chapter 84 of title 20 of the revised statutes, relative to divorces; and

An act to authorize the treasurer of the township of Ridgeway, Lenawee county, to collect certain taxes.

Mr. Shearer submitted the following report:

The committee on agriculture, to whom was referred a petition signed by 131 respectable citizens of Wayne county, for the passage of a law to prohibit the killing of deer, woodcocks, partridges and quails, by persons living in Canada, who avail themselves of crossing the river dividing Canada from the United States, in the season of the year when they are forbidden by their own laws to shoot game in Canada; and in the absence of a statute law in this State on this subject, they cross the line dividing the two governments, and kill

and destroy the above named game; all of which the committee have had under careful consideration, and would respectfully submit the following report:

That this is an open violation of natural and civil rights; that the people of one government should molest the rights of those of another, by coming into their territory and destroying property of the class described in the prayer of the petition, demoralizing in its tendency, and criminal in practice, for which the citizens of Detroit and vicinity very justly complain; and your committee are conscious that such violation should not be tolerated under a government claiming for itself the dispensation of just laws—which should be respected, observed and cherished by all, accompanied by a bill.

JONATHAN SHEARER, Ch'n.

The report was accepted, the committee discharged, and the report and bill ordered laid on the table and printed.

Mr. Hitchings, from the committee on the organization of towns and counties, to whom was referred

A bill to incorporate the village of Mt. Clemens; and

A bill to perfect the organization of the county of Ontonagon, in the Upper Peninsula;

Have had the same under consideration, and through their chairman report the same back to the House, recommending their passage, and ask to be discharged from further consideration thereof.

J. P. HITCHINGS, Ch'n.

The report was accepted, the committee discharged and the bills severally referred to the committee of the whole and placed on the general order.

Mr. Hyde, from the committee on State affairs, submitted the following report:

The committee on State affairs, to which was referred

Senate bill to provide for publishing the statistics of this State, taken by authority of the United States in 1850,

Have had the same under consideration, and have instructed me to report the same back to the House, with an amendment, recommending its passage and ask to be discharged from its further consideration.

B. F. HYDE, Ch'n.

The report was accepted, the committee discharged, the bill re-

ferred to the committee of the whole and placed on the general order.

Mr. Minne, from the committee on roads and bridges, submitted the following report:

The committee on roads and bridges, to whom was referred

A bill authorizing the commissioners of highways to alter the Monroe and Grand River Territorial road, and to perfect the records of the same,

Have had the same under consideration, report the same back to the House with an amendment thereto, ask the concurrence of the House to the same, recommend its passage and ask to be discharged from the further consideration of the subject.

J. P. MINNE, Ch'n.

The report was accepted, the committee discharged, and the amendment to the bill concurred in.

Mr. Yocum moved a suspension of the rules, and that the bill be now read the third time.

Agreed to.

The bill was then read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburu,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gulley,
S. C. Hall,
Hart,
Hitchins,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Mr. Montgomery,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

Mr. Patterson,

1

The House then, by a vote of two-thirds of all the members elected, directed that said act take effect immediately.

Mr. Church, from the judiciary committee, to whom was referred A bill to vacate the village plat of Charleston, in the county of Ottawa, and

A bill to vacate in part the village plat of Grandville in the county of Kent,

Reported the same back without amendment, recommended their passage, and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, and

On motion of Mr. Ferry,

The bills were severally ordered laid on the table and printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Sherwood gave notice that he would on some future day ask leave to introduce

A bill to amend section 110, chapter 20 of the revised statutes of 1846.

Mr. Hyde moved to take from the order of third reading of bills the bill to amend an act to incorporate the Peninsular Mutual Fire and Marine Insurance Company, approved March 12, 1844.

Agreed to.

On motion of Mr. Hyde,

The bill was then ordered to be read the third time, was so read and lost by the following vote, two-thirds of all the members elected not voting therefor:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Calkins,
D. L. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Crane,
Crosmen,
Earl,

Mr. L. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,
Montgomery,
A. H. Moore,

Mr. H. M. Moore,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Truesdell,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

NAYS.

Mr. Britain,
S. M. Case,
Childs,
Covert,

Mr. J. B. Eaton,
Fowler,
H. Hall,

Mr. Hart,
Patterson,
Town,

10

Mr. Hyde moved a reconsideration of the last vote.

Mr. Thurber moved to lay the motion of Mr. Hyde on the table.

Agreed to.

Mr. Gregory offered the following resolution:

Resolved, That this House hold three sessions in each day, from and after Monday next, commencing at 8 o'clock, A. M., 2 P. M., and 7 o'clock, P. M.; which, after some discussion, he withdrew.

Mr. Hubbell offered the following:

Resolved, That the use of the Hall of the House of Representatives be given to Capital Lodge No. 45, I. O. of O. F., on Tuesday evening, April 1st, for the purpose of a public lecture.

Adopted.

Mr. D. L. Case gave notice that he would on some future day ask leave to introduce

A bill to re-locate the Michigan Asylums.

On motion of Mr. Thurber,

A bill to amend an act entitled an act to authorize the sale of the Michigan Southern railroad and to incorporate the Michigan Southern railroad company, approved May 9, 1846, and amendments,

Were taken from the table.

And the question being on concurring in the amendments made thereto in committee of the whole, the first amendment, as follows:

Amend line 3, section 1, by striking out after the word "from," the words "the southern line of this State, and insert the words "the line between this State and the state of Indiana,"

Was concurred in.

The second amendment, as follows:

Amend section 1, line 5, by striking out after the word "railroad," where it first occurs in said line, the words "to connect the Southern railroad with Chicago," was also concurred in.

The question then being on the amendment offered by Mr. Britain on the 24th inst.,

Mr. Britain offered the following as a substitute therefor:

Strike out the "proviso" to section 1 and insert as follows:

"Provided, That before the provisions in this sec. shall take effect and be applicable to any company or companies in the State of Indiana, or have any effect whatever in that State, the company or companies in that State having power to control a railroad from Michigan City to the State line of Illinois, shall contract to transport the freight and passengers of the Michigan Central Railroad Company over and upon the road of said company, and any part of it, between Michigan City and Chicago, either in the cars of the said Michigan Central Railroad Company, or otherwise, or to permit the trains of the Michigan Central Railroad Company to pass over and upon the said road in Indiana, or any part of it, upon just and equitable terms, so as to insure every practicable dispatch, facility and accommodation, with a view of insuring to the said Michigan Central Railroad Company a free and equal competition at and with Chicago for trade and travel, on the condition that the company or companies in Illinois connected with the Michigan Central Railroad Company, shall first contract or agree to contract that they will immediately proceed to construct a railroad from the Illinois State line to the city of Chicago, so as to cause no delay in the progress of the line to that city, and will in like manner as above provided, transport the freight and passengers passing on the said road in Indiana over and upon said road in Illinois or any part of it, or permit the trains passing over the said road in Indiana to pass over and upon the said road in Illinois, or any part of it, with equal facility, accommodation and dispatch as shall be furnished to them by the company in Indiana, so as not to give at the point of termination in Chicago, the advantage in any respect to the Michigan Central Railroad, but shall be equal and just to all parties or companies connected therewith; and in case the parties or companies shall be unable to agree on all or any of the details or arrangements, then the companies shall respectively agree to abide by the arbitrament and decision of any three engineers or presidents of railroad companies, one of whom to be chosen by the Michigan Central Railroad Company, one to be chosen by the company in Indiana having power to construct said road, and the third to be chosen by the two thus selected; and the three thus chosen

shall examine, fix and settle the terms and mode in which the business of said roads shall be conducted, and shall determine all questions between them, so as to carry out the principles aforesaid; and in case the Michigan Central Railroad Company shall not signify in writing, in a form or manner, to the Northern Indiana Railroad Company, within thirty days from the passage of this act, their consent to such an arrangement, and the tribunal to be thus selected to determine all questions of difference, then this proviso shall be of no force and effect."

The substitute was adopted.

The question then being on concurring in the amendment as amended,

Pending which,

Mr. Britain offered the following amendment to the substitute:

Strike out "or," between "otherwise" and "to," and insert "and;" and also by striking out "or," between "it" and "permit," and inserting "and."

Which, after a lengthy debate, he withdrew.

The question then recurring on the amendment as amended, after a lengthy discussion by Messrs. Britain, Church, Hart, Thurber, H. M. Moore and D. L. Case,

Pending which,

On motion of Mr. Thurber,

The House took a recess until half-past 2 o'clock, without the question being taken.

Afternoon Session.

$\frac{1}{2}$ past 2 o'clock.

The House was called to order by the Hon. Mr. P. D. Warner.

The roll was called and the members present as in the morning.

The House then resumed the consideration of

A bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846.

The question being on concurring in the amendment offered by Mr. Britain, as amended,

After considerable debate by Messrs. Church, Britain and Ferry.
Mr. Britain offered following amendments:

Line 2. After "State," insert "of Michigan, or."

Line 3. Strike out "in that State," and insert "in either of said States."

Line 4. Strike out "in that State," and insert "in the State of Indiana."

Adopted.

Also the following:

After "aforesaid, sixth line from bottom of page, insert "and such determination shall be binding upon the respective companies for whom it shall be made; and in case either of said companies shall neglect or refuse to accept and carry out said determination, said company and all companies connected therewith, shall thereby forfeit all right to the provisions of this act."

Adopted.

The question was then taken on the amendment as amended, which would read as follows:

Strike out "proviso," to section 1, and insert as follows:

"Provided, That before the provisions in this section shall take effect, and be applicable to any company or companies in the State of Michigan or of Indiana, or have any effect whatever in either of said States, the company or companies in the State of Indiana, having power to control a rail road from Michigan City to the State line of Illinois, shall contract to transport the freight and passengers of the Michigan Central Rail Road Company, over and upon the road of said company, and any part of it, between Michigan City and Chicago, either in the cars of the said Michigan Central Rail Road Company, or otherwise, or to permit the trains of the Michigan Central Rail Road Company. to pass over and upon said road in Indiana; or any part of it, upon just and equitable terms, so as to insure every practicable dispatch, facility and accommodation, with a view of insuring to the said Michigan Central Rail Road Company a free and equal competition at and with Chicago, for trade and travel, on the condition that the company or companies in Illinois, connected with the Michigan Central Rail Road Company, shall first contract or agree to contract that they will immediately proceed to construct a rail road from

the Illinois State line to the city of Chicago, so as to cause no delay in the progress of the line to that city, and will in like manner as above provided, transport the freight and passengers passing on the said road in Indiana, over and upon said road in Illinois, or any part of it, and permit the trains passing over the said road in Indiana, to pass over and upon the said road in Illinois, or any part of it, with equal facility, accommodation and dispatch as shall be furnished to them by the company in Indiana, so as not to give at the point of termination in Chicago, the advantage in any respect to the Michigan Central rail road, but shall be equal and just to all parties or companies connected therewith; and in case the parties or companies shall be unable to agree on all or any of the details or arrangements, then the companies shall respectively agree to abide by the arbitrament and decision of any three engineers or presidents of rail road companies, one of whom to be chosen by the Michigan Central rail road company, one to be chosen by the company in Indiana having power to construct said road, and the third to be chosen by the two thus selected; and the three thus chosen shall examine, fix and settle the terms and mode in which the business of said road shall be conducted, and shall determine all questions between them, so as to carry out the principles aforesaid; and said determination shall be binding upon the respective companies for whom it shall be made; and in case either of said companies shall neglect or refuse to accept and carry out said determination, said company and all companies connected therewith, shall thereby forfeit all right to the provisions of this act; and in case the Michigan Central rail road company shall not signify in writing, in a form or manner, to the Northern Indiana rail road company, within thirty days from the passage of this act, their consent to such an arrangement, and the tribunal thus to be selected to determine all questions of difference, then this proviso shall be of no force and effect.

And the same was non-concurred in by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Britain,
D. L. Case,

Mr. Crosman,
Darling,
J. B. Eaton,
Gray,
Gregory,

Mr. A. H. Moore,
Patterson,
Root,
Sherwood,
Smith,

Childs,
David Clark,
Corbin,
Corrigan,
Covert,
Crane,

Hart,
Hitchings,
Kimberly,
Lawrence,
Minne,
Montgomery,

Town,
Turner,
Waite,
Watkins,
Speaker,

32

NAYS.

Mr. Beecher,
Butterfield,
S. M. Case,
Chandler,
Church,
Darius Clark,
Clyburn,
Earl,
L. Eaton,
Ferry,
Fitch,

Mr. Fowler,
Gulley,
H. Hall,
S. C. Hall,
Hubbell,
Hyde,
Irvine,
Martin,
Marvin,
H. M. Moore,
Pierce,

Mr. Sexton,
Shearer,
Shook,
Stetson,
Truesdell,
Voorhies,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,

33

The question being on concurring in the following amendment, made in committee of the whole, amend by adding a new section to stand as section 2:

"Sec. 2. That the time for completing the Tecumseh branch of the said Southern rail road, from the village of Tecumseh, by way of Clinton in the county of Lenawee, and Manchester in the county of Washtenaw, to the village of Jackson in the county of Jackson, be and the same is hereby extended four years from and after the passage of this act. That said Southern rail road company shall complete said branch of said Southern rail road within the time above mentioned, to the said village of Jackson, (or as near thereto as existing laws will permit,) and this branch road shall be built on the best and most feasible route from Tecumseh to the village of Jackson, and the track of said branch rail road shall be built with heavy iron rail, weighing not less than fifty-six pounds to the yard; Provided that said Southern rail road company, do not complete said branch road to Jackson at the time and in the manner above provided, then and in that case, all rights and privileges acquired under this act, shall be forfeited by the Southern rail road company."

The same was concurred in by the following vote:

YEAS.

Mr. Baldwin,
Barnes,
D. L. Case,

Mr. Hart,
Hitchings,
Hubbell,

Mr. Smith,
Truesdell,
Town,

Corrigan,
Crane,
Crosman,
Darling,
J. B. Eaton,
Grey,
Gregory,

Lawrence,
Minne,
Montgomery,
A. H. Moore,
Patterson
Root,
Sherwood,

Turner,
Waite,
W. Waoner,
Watkins,
Wheeler,
Yocum,
Speaker, 30

NAYS.

Mr. Bacon,
Balcombe,
Britain,
Butterfield,
Chandler,
Church,
Darius Clark,
Covert,
Earl,

Mr. L. Eaton,
Ferry,
Fitch.
Gulley,
H. Hall,
S. C. Hall,
Hyde,
Irvine,
Martin,

Mr. Marvin,
H. M. Moore,
Pierce,
Sexton,
Shearer,
Shook,
Stetson,
Voorhies,
P. D. Warner, 27

The question then being on concurring in the following amendment made in committee of the whole, viz:

Sec. 3. That said company shall run daily (Sundays excepted) a passenger train from the city of Monroe to the western termination of said road, without change of engine or locomotive, without change of car or cars thereunto attached, (unless prevented by some unforeseen accident,) and that said company shall run daily (Sundays excepted) a passenger train from the western terminus of said road to the city of Monroe, without change of engine or locomotive with the car or cars thereunto attached, unless prevented by some unforeseen accident.

Provided, That the connection of said Southern Rail Road with the Erie and Kalamazoo Rail Road be at once and forever permanently discontinued, so that the cars from one railroad cannot pass on to the other, except in crossing each other.

Pending which,

Mr. Thurber offered the following as a substitute for the proviso in said amendment:

"Provided, That nothing in this act contained shall legalize in any manner, any connection of said Michigan Southern rail road, with the rail road called the Erie and Kalamazoo rail road, or with any rail road hereafter to be built, leading southwardly or southeastwardly therefrom, through any portion of this State, eastwardly from the county of Lenawee."

After considerable discussion,

The question was taken on the substitute, and the same was agreed to, by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Britain,
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Covert,
Crane,
Croaman,

Mr. Darling,
J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gray,
Gregory,
Gulley,
Hart,
Hubbell,
Kimberly,
Lawrence,
Minne,

Mr. A. H. Moore,
Patterson,
Root,
Smith,
Truesdell,
Town,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker, 39

NAYS.

Mr. Butterfield,
S. M. Case,
Corbin,
Corrigan,
Fitch,
H. Hall,
S. C. Hall,

Mr. Hyde,
Irvine,
Martin,
Marvin,
Montgomery,
H. M. Moore,

Mr. Pierce,
Sexton,
Shearer,
Stetson,
Voorhies,
Wheeler,

19

Mr. Patterson then moved the indefinite postponement of the whole subject.

The motion prevailed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Covert,
L. Eaton,
Ferry,
Fitch,

Mr. Fowler,
Gregory,
Gulley,
H. Hall,
Hicks,
Hubbell,
Hyde,
Irvine,
Martin,
Marvin,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Smith,
Stetson,
Truesdell,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,

43

NAYS.

Mr. Baldwin,	Mr. Croeman,	Mr. Hitchings,	
Calkins,	Darling,	Kimberly,	
Chandler,	Earl,	Lawrence,	
Childs,	J. B. Eaton,	Minne,	
Corbin,	Gray,	Town,	
Corrigan,	S. C. Hall,	Watkins,	
Crane,	Hart,	Speaker,	21

By unanimous consent,

The Speaker announced the following communication from the Secretary of State:

OFFICE OF THE SECRETARY OF STATE, }
Lansing, March 29, 1851. }

TO THE HON. JEFFERSON G. THURBER,

Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt of the following resolution, adopted by the House on the 27th inst.:

“*Resolved*, That the Secretary of State communicate to the House the number of negroes or colored persons in each county in this State, at his earliest convenience.”

In answer to the same, I herewith submit a list of the number of colored persons in this State by towns and counties, as taken from the United States census returns deposited in this office.

Very respectfully yours,

C. H. TAYLOR,

Secretary of State.

On motion of Mr. P. D. Waruer,

The accompanying documents were ordered laid on the table and printed.

Also the following from the Attorney General:

ATTORNEY GENERAL'S OFFICE, }
March 28, 1851. }

To the Honorable the House of Representatives:

I have the honor to acknowledge the receipt of the resolution adopted by the House on the 25th instant, requesting my opinion whether it is competent for the Legislature to vacate village plats, wholly or in part.

The twenty-third section of article four of the revised constitution provides that the Legislature shall not authorize, by private or special law, the sale or conveyance of any real estate belonging to any

person; nor vacate nor alter any road laid out by commissioners of highways, or any street in any city or village or in any recorded town plat. The subject of inquiry is undoubtedly embraced within the meaning of this constitutional prohibition. The vacating of village plats is nothing more or less than vacating streets, which the Legislature has no power to authorize except by the passage of a general law. Special legislation is expressly prohibited.

WILLIAM HALE,
Attorney General.

Ordered laid on the table and printed.

And the following message from the Senate:

SENATE CHAMBER, }
Lansing, March 29, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House of Representatives,

A bill relative to land sales in Ottawa county; and

A bill directing the publication of a statement of lands to be sold in Cass county in 1851.

And to respectfully inform the House that the Senate have concurred therein, and by a two-thirds vote directed that they take effect immediately.

Respectfully,

O. W. MOORE,

Secretary Senate.

The House then, by a vote of two-thirds of all the members elected thereto, ordered that the last named take effect immediately, and Said bills were severally ordered enrolled.

Also the following:

SENATE CHAMBER, }
Lansing, March 29, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

Concurrent resolution relative to the adjournment of this Legislature,

And to respectfully inform you that the Senate have concurred therein.

Very Respectfully,

O. W. MOORE,

Secretary Senate.

Said resolution was ordered enrolled.

Also the following:

SENATE CHAMBER,
Lansing, March 29, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith, the following entitled bills:

1. A bill to change the names of Eliza J. Robson and Catharine Robson;

2. A bill to amend section 2 of an act to incorporate the Flint and Fentonville plank road company, approved April 3, 1848;

3. A bill to organize the township of Lebanon, in the county of Allegan;

4. A bill to amend section 76, chapter 58 of the revised statutes of 1846, in relation to primary schools.

And to inform the House of Representatives that the Senate have concurred therein, the second and third with amendments in which the concurrence of the House is respectfully asked, and that they have ordered the same to take effect immediately.

Also to transmit,

5. A bill to amend section 5 of an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved April 3, 1848, and supplementary thereto;

6. A bill to legalize the conveyance by the board of supervisors of the county of Hillsdale, of a portion of the public square in the village of Jonesville, to E. P. Champlin;

7. A bill to exempt from forced sale on execution, or any other final process from a court, the homestead of any resident of this State.

8. A bill to authorize the formation of corporations for manufacturing or mechanical purposes,

9. A bill providing for the compensation of judges of probate.

All which the Senate have passed, and with the exception of the last named, directed them by a vote of two-thirds of all the Senators elect, to take effect immediately, and respectfully ask the concurrence of the House therein.

Very respectfully,

O. W. MOORE,

Sec'y of Senate.

The several amendments to the 2d and 3d were concurred in, and the 1st, 2d, 3d and 4th named bills were severally ordered enrolled.

The 5th, 6th, 7th, 8th and 9th were severally read a first and second time and referred as follows:

The 5th to the committee on public lands.

The 6th to the committee on towns and counties.

The 7th and 9th to the committee on the judiciary.

The 8th to the committee on banks and incorporations.

Mr. Hyde moved to take from the table the motion to reconsider the vote by which was lost

A bill to amend an act to incorporate the Peninsula Mutual Fire and Marine Insurance Company, approved March 12, 1844.

Agreed to.

The vote was then reconsidered and the bill passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,
Darling,

Mr. Earl,
L. Eaton,
Ferry,
Fitch,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Kimberly,
Martin,
Marvin,
Minne,
Montgomery,
H. M. Moore,

Mr. Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,

50

NAYS.

Mr. Barnes,
Britain,
Childs,
Covert,
J. B. Eaton,

Mr. Fowler,
Gray,
Gregory,
Lawrence,

Mr. A. H. Moore,
Pierce,
Waite,
Speaker,

13

The House then, by a vote of two-thirds of all the members elected, directed that said act take immediate effect.

Mr. Hubbell, from the committee on engrossment and enrollment

reported as correctly enrolled, signed and this day presented to the Governor for his approval:

An act directing the publication of a statement of lands to be sold in Cass county, 1851.

Mr. Darling offered the following resolution:

Resolved, That the bills before the House, relating to the sale of ardent spirits, be made the special order of the day for Tuesday next, at half-past 2 o'clock, P. M.

Mr. Butterfield moved to lay it on the table.

Lost as follows:

YEAS.

Mr. Barnes,
Butterfield,
S. M. Case,
Corrigan,
Covert,
Earl,
J. B. Eaton,
Fowler,

Mr. Gregory,
S. C. Hall,
Hart,
Hyde,
Martin,
Minne,
H. M. Moore,

Mr. Patterson,
Root,
Sexton,
Turner,
Voorhies,
Wheeler,
Speaker,

22

NAYS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Calkins,
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Crane,

Mr. Crosman,
Darling,
L. Eaton,
Ferry,
Fitch,
Gray,
Gulley,
H. Hall,
Hicks,
Hubbell,
Kimberly,
Lawrence,
Marvin,
Montgomery,

Mr. A. H. Moore,
Pierce,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Waite,
P. D. Warner,
W. Warner,
Watkins,

41.

The resolution was then adopted.

Mr. Crosman moved a reconsideration of the vote by which the report of the select committee on the apportionment bill was concurred in.

Pending the question on which, he moved to lay his motion on the table.

Agreed to.

On motion of Mr. D. L. Case,

The House adjourned.

Lansing, Monday, March 31, 1951.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called and the members all present, except those excused on account of sickness.

The reading of the journal of Saturday was, by unanimous consent, dispensed with.

The journal was then corrected and approved.

PRESENTATION OF PETITIONS.

Mr. Turner presented the petition of C. F. Disbrow, Geo. Davis, H. L. Miller and 57 others, citizens of Saginaw county, asking a law regulating the sale of intoxicating liquors.

Referred to the special order of this day.

Mr. Hyde presented resolutions of the common council of the city of Detroit, remonstrating against the passage of any law requiring the said city to pay the salaries and other expenses of the police court, the same being a court organized for the purpose of trying offenders against the general laws of the State.

Referred to the judiciary committee.

Also, the remonstrance of B. F. H. Witherell, J. M. Howard, Lyman Baldwin and 150 others, citizens of Wayne county, against the passage of any law abolishing the board of county auditors of said county.

Referred to committee on towns and counties.

REPORTS.

Mr. Shook, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred Senate bill to amend section 5 of an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved April 3, 1948, and a bill supplementary thereto,

Have had the same under consideration, and have instructed me to report the same back without amendment. Also,

A bill to authorize and direct the Secretary of State to execute by deed, a conveyance of a certain tract of land to Robert B. McKay.

Recommend their passage and ask to be discharged from the further consideration thereof.

D. SHOOK, Ch'n.

The report was accepted and the committee discharged.

On motion of Mr. Barnes,

The first named bill was ordered laid on the table and printed.

The second named was twice read, and,

On motion of Mr. Hubbell,

Was ordered to a third reading; and under a suspension of the rules, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Fitch,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Wait,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

59

NAYS.

Mr. Fowler,

1

The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

Mr. Hicks, from the committee on public lands, submitted the following report:

The committee on public lands, to whom was referred

A joint resolution relative to granting lands from the public domain to actual settlers,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend that the same

do not pass, and ask to be discharged from further consideration thereof.

M. W. HICKS.

The report was accepted, the committee discharged, the bill referred to committee of the whole and placed on the general order.

Mr. Hitchings, from the committee on towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred petitions of citizens of the county of Wayne, praying for the repeal of a law creating the board of county auditors in the county of Wayne, and conferring their duties to the board of supervisors of said county; also the remonstrance of citizens of said county against the prayer of said petitioners, have had the same under consideration, and have instructed their chairman to report a bill, recommending its passage, and asked to be discharged from the further consideration thereof. Also a bill to legalize the conveyance by the board of supervisors of the county of Hillsdale of a portion of the public square in the village of Jonesville, to E. P. Champlin, recommend its passage and ask to be discharged from its further consideration.

J. P. HITCHINGS, Ch'n.

The report was accepted and the committee discharged.

The bills were severally read twice, when,

Mr. Sexton moved a suspension of the rules, and that the first named be now read the third time.

Mr. Hyde moved to lay it on the table.

Lost.

A suspension of the rules was then agreed to, the bill ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Baldwin,
Barnes,
Butterfield,
Calkins,
S. M. Case,
Childs,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Lawrence,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Town,
Turner,
Vooghies,

Crane,
Crosmán,
Darling,
Earl,
J. B. Eaton,
L. Eaton,

Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,
Patterson,

Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum, 51

NAYS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Chandler,

Mr. Church,
Darius Clark,
Hicks,
Hubbell,
Hyde,

Mr. Irvine,
Kimberly,
H. M. Moore,
Stetson,
Speaker, 15

The House then by a vote of two-thirds of all the members elected directed that it take effect from and after the first day of October next.

On motion of Mr. Gregory,

A suspension of the rules was ordered, and the second named bill was then ordered to be read a third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain.
Butterfield.
Chandler,
Childs,
Church,
David Clark,
Darius Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosmán,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Gray,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker, 56

NAYS.

Mr. Fowler,

1

The House then directed by a vote of two-thirds of all the members elected, that the said act shall take effect immediately.

Mr. Britain, from the committee of ways and means, submitted the following report:

The committee of ways and means, to whom was referred "a bill to provide for a sinking fund," have instructed me to report the same back to the House, with the following amendments, and ask to be discharged from the further consideration thereof:

Section 2, line 6, after "five per cent.," insert "and compound interest at the rate of six per cent. per annum."

Section 3, line 1, strike out "Governor;" also the word "and;" and after "Secretary of State" insert "State Treasurer."

Section 3, line 6, after "so doing," insert "to apply the same in payment of any State indebtedness then due, or if there be no debt of the State due at the time, then."

Your committee recommend the first amendment because they consider it required by the 2d section of the 14th article of the constitution, which provides that "the Legislature shall provide by law a sinking fund of at least twenty thousand dollars a year, to commence in 1852, with compound interest at the rate of six per cent. per annum, and an annual increase of at least five per cent."

They have recommended the second amendment, because they think the duties of fund commissioners incompatible with the duties of the chief executive officer of the State, whose duty it is to "take care that the laws be faithfully executed."

The third amendment merely disposes of the fund in accordance with the provision of the section of the constitution above recited.

C. BRITAIN, Ch'n.

The report was accepted, the committee discharged, and the bill ordered laid on the table, and

On motion of Mr. Church,

The report ordered printed on the journal.

Mr. Britain, from the committee of ways and means, also reported a bill supplemental to a bill to provide for assessing property at its true value, and for levying taxes thereon,

Recommended its passage and asked to be discharged therefrom.

The report was accepted the committee discharged, and the bill read twice and referred to committee of the whole.

Mr. Church, from the committee on the judiciary, to which was referred

A bill providing for the compensation of judges of probate,

A bill to exempt from forced sale on execution or any other final process from a court, the homestead of any resident of this State, recommended their passage, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the bills severally ordered laid on the table.

Mr. Church also from the judiciary committee, to whom was referred,

A bill to amend section 1, of chapter 93, of title 21, of the revised statutes of 1846, relative to justices of the peace;

A bill requiring justices of the peace to renew their official bond in certain cases; and

A bill to legalize the acts of masters in chancery in certain cases,

Reported the same back without amendment, recommended their passage and asked to be discharged from their further consideration.

The report was accepted and the committee discharged.

The first named was read twice and referred to the committee of whole.

The second was referred to committee of the whole.

The third was read twice, and referred to the committee of the whole.

Mr. Church also submitted the following report:

The committee on the judiciary to whom was referred the following resolution:

“Resolved, That the judiciary committee be and they are hereby instructed to so amend chapter 36 of the revised statutes as to prohibit any person from commencing the practice of medicine or surgery in this State after the 4th day of July next, unless such person has been licensed to do so by some person or institution legally authorized to grant such license. And that said chapter or a part thereof so amended, be reported for the consideration of the House at this session,”

Have had the same under consideration and have instructed me to report:

That the committee have for certain reasons, to them satisfactory, recommended previously the repeal of the whole of said chapter 36

of the revised statutes, and do not therefore wish to render themselves obnoxious to the charge of inconsistency in attempting to amend what they have pronounced to be radically and incurably defective and unjust; and that inasmuch as the revised constitution of this State has provided in article 24 of section 6 thereof that any party to a suit may act as his own lawyer in the prosecution or defence of said suit, or may appoint any other person in his stead so to do, manifestly designing that all, ignorant or learned, should practice law; why, if the principle incorporated in said section be a sound one, (and it has been sanctioned by the wisdom of the council of one hundred, who, under the rays of a July sun, framed the aforesaid constitution,) should it not be applied to the practice of physic as well as to that of law. Why should not ignorance and presumption be permitted to treat diseased persons as well as disordered estates? Why should the "natural bone-setter" be prohibited from re-adjusting the deranged osseous structure of man and the untaught pettifogger be allowed to expound the doctrines and apply the rules of the law?

True, the friendly grave covers and conceals the blunders of the incompetent physician, while the open records of the court proclaim and publish the failures of the unskilful practitioner at the bar.

But a regard for the profession of which they are members, renders this committee unwilling to provide by law for the careful exclusion from the practice of surgery and physic of those whose only excellence would probably consist in a *Sanguado* theory of cure, and yet allow to enter the temples of justice all who propose themselves as ministers of her rites.

They can acknowledge no such pre-eminent *rank* of the science of medicine (a science, more than all others, based upon shrewd guesses and contradictory experiments,) as should entitle it to a monopoly of protective legislation. They decline, therefore, complying with the instructions of the House; and as the said committee comprise every lawyer in the House but one, they throw themselves upon the clemency of the overwhelming majority of farmers, millers, merchants, shingle-weavers and miscellaneous gentlemen by whom it is surrounded, and asked to be excused for disobedience, and to be discharged from the further consideration of the subject.

THOS. B. CHURCH, Ch'n.

Ordered laid on the table and printed in the journal,

By unanimous consent,

Mr. Covert introduced a bill to incorporate the city of Pontiac.

Read a first and second time and,

On motion of Mr. P. D. Warner,

Ordered laid on the table.

Mr. Britain, from the committee on ways and means, to whom was referred

The joint resolution relative to the interest account between the State of Michigan and certain counties thereof,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the joint resolution,

On motion of Mr. Church,

Ordered laid on the table.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 31, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to amend section one of an act entitled an act in aid of the Michigan State Agricultural Society, approved March 31, 1849.

And to inform you that the Senate have concurred therein, with amendments, in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,
Secretary of the Senate.

The question being on concurring in the Senate amendments,

Mr. Pierce offered the following amendment thereto:

And provided further, That no money shall be drawn from the treasury of this State for the support of any agricultural society, or to pay the premiums of any agricultural society now formed or hereafter to be formed, until the state debt commonly known as the five

million loan debt, is every part of it paid and cancelled; and all laws now in force providing for the payment of any sum of money from the treasury of this State to any agricultural society or for raising a tax on the people of this State or on their property for the like purpose, is hereby superceded and prohibited until the five million loan debt is fully paid as hereinbefore provided.

After considerable debate thereon,

Mr. P. D. Warner moved the previous question.

The question then being, "shall the main question be now put?"

The same was agreed to.

The question was then taken on the amendment of Mr. Pierce, to the amendment of the Senate:

The same was not adopted by the following vote:

YEAS.

Mr. Baldwin,
Childs,
Covert,
Crane,
Croswan,
Gray,
Hicks,

Mr. Hitchings,
Hubbell,
Kimberly,
Marvin,
H. M. Moore,
Patterson,
Pierce,

Mr. Stetson,
Turner,
Waite,
Wheeler,
Yocum,
Speaker,

20

NAYS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Bowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hyde,
Irvine,
Lawrence,
Martin,

Mr. Minne,
Montgomery,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Town,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,

44

The question then being on concurring in the Senate amendment, the same was concurred in by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,

Mr. Darling,
Earl,
L. Eaton,

Mr. Pierce,
Root,
Shearer,

Beecher	Perry,	Sherwood,
Britain,	Fitch,	Shook,
Butterfield,	Fowler,	Smith,
Calkins,	Gregory,	Stetson,
S. M. Case,	Gulley,	Truesdell,
Chandler,	S. C. Hall,	Town,
Church,	Hart,	Turner,
Darius Clark,	Hicks,	Voorhies,
David Clark,	Hitchings,	Waite,
Clyburn,	Hyde,	P. D. Warner,
Corbin,	Irvine,	W. Warner,
Corrigan,	Lawrance,	Watkins,
Covert,	Martin,	Wheeler,
Crane,	Montgomery,	Yecum, 51

NAYS.

Mr. Baldwin,	Mr. Marvin,	Mr. H. M. Moore,
Gray,	Minne,	Patterson,
Hubbell,	A. H. Moore,	Speaker,
Kimberly,		10

The bill as amended was ordered enrolled.

The Speaker announced the following message from the Executive:

EXECUTIVE OFFICE,
Lansing, March 31, 1861. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act directing the publication of a statement of lands to be sold for taxes in Cass county in 1851;

An act to amend sections 33, 34 and 35, chapter 79 of the revised statutes, relative to the sale of real estate on execution;

An act to provide for the construction of a bridge across Grand River, in the village of Jackson;

An act to establish a circuit court in the county of Montcalm;

An act to amend section 6 of chapter 84 of title 20 of the revised statutes, relative to divorce; and

An act to amend section 3 of an act entitled an act to amend an act to incorporate the Indiana and Adrian plank road company, approved April 3, 1850.

JNO. S. BARRY.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Hart,

The bill to amend an act entitled an act to authorize the sale of the Central railroad and to incorporate the Michigan Central railroad Company, approved May 28, 1846,

Was taken from the table.

And the question being on concurring in the substitute therefor reported by committee of the whole,

Pending which,

Mr. Wait offered the following amendment thereto:

Amend by adding to section 1 the following:

"Provided, That nothing in this act contained shall be so construed as in any manner to legalize any forfeiture incurred by said company under the act to which this is amendatory: And provided further, That nothing contained in this act shall be so construed as in any manner to relieve said company from any liability to forfeiture incurred under the act to which this is amendatory."

Adopted by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnea,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
J. B. Eaton,

Mr. Ferry,
Gray,
Gregory,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Irvine,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Root,
Shearer,
Shook,
Smith,
Town,
Turner,
Voorhies,
Waite,
Wheeler,
Yocum,
Speaker,

40

NAYS.

Mr. Balcombe,
Butterfield,
Darius Clark,
Clyburn,
Fitch,

Mr. Fowler,
H. Hall,
Hyde,
Martin,
Patterson,

Mr. Pierce,
Sexton,
Stetson,
Truesdell,
P. D. Warner, 15

Mr. Thurbur then moved the previous question.

But the motion did not prevail.

Mr. Shook then offered the following amendment:

Insert in 3d line of section 1, between the words "Huron" and "in," "on the shortest and most eligible route."

Adopted.

The question then recurring on the substitute as amended,

After a lengthy discussion by Messrs. Hyde, Hart, Pierce and Kimberly,

On motion of Mr. Fitch,

The House took a recess until 3 o'clock P. M., without taking the question.

Afternoon Session.

3 o'clock.

The House was called to order by the Hon. Mr. P. D. Warner.

The roll was called and the members answered to their names, as in the morning.

The House then resumed the consideration of the bill to amend an act entitled an act to authorize the sale of the Central rail road, and to incorporate the Michigan Central rail road company, approved May 28, 1846.

The pending question being on the adoption of the substitute reported back by committee of the whole, as amended,

After considerable discussion by Messrs. Fitch, Hart, Thurber, Truesdell, Root, Kimberly, H. M. Moore and Shearer,

Mr. Hyde moved the previous question.

The demand for the previous question was sustained.

The question then being, "shall the main question be now put?" it was decided in the affirmative.

The question being then taken on the substitute reported back by the committee of the whole, as amended,

The same was concurred in by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Britain,
Calkins,

Mr. Crane,
Crosman,
Darling,
J. B. Eaton,
Ferry,
Gray,

Mr. Lawrence,
Minne,
Montgomery,
A. H. Moore,
Root,
Shook,

S. M. Case,
Chandler,
Church,
David Clark,
Clyburn,
Corbin,
Covert,

Gregory,
S. C. Hall,
Hart,
Hitchins,
Hubbell,
Irvine,
Kimberly,

Smith,
Town,
Turner,
Waite,
Watkins,
Speaker,

32

NAYS.

Mr. Balcombe,
Butterfield,
Darius Clark,
Corrigan,
Earl,
L. Eaton,
Fitch,
Fowler,
Gulley,

Mr. Hicks,
Hyde,
Martin,
Marvin,
H. M. Moore,
Patterson,
Pierce,
Sexton,
Shearer,

Mr. Sherwood,
Stetson,
Truesdell,
Voorhies,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,

26

The question then being, "shall the bill be read the third time?" it was ordered to be so read by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,

Mr. Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Sherwood,
Shook,
Smith,
Truesdell,
Town,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

60

NAYS.

Mr. Hyde,

Mr. Voorhies,

Mr. Speaker,

3

The bill was then read a third time, and the question being on the final passage thereof, it was passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Darling,	Mr. A. H. Moore,
Balcombe,	Earl,	H. M. Moore,
Baldwin,	J. B. Eaton,	Patterson,
Barnes,	L. Eaton,	Pierce,
Beecher,	Ferry,	Root,
Britain,	Fitch,	Sexton,
Butterfield,	Gmy,	Sherwood,
Calkins,	Gregory,	Shook,
S. M. Case,	H. Hall,	Smith,
Chandler,	S. C. Hall,	Stetson,
Childs,	Hart,	Truesdell,
Church,	Hitchings,	Town,
Darius Clark,	Hubbell,	Turner,
David Clark,	Irvine,	Wait,
Clyburn,	Kimberly,	P. D. Warner,
Corbin,	Lawrence,	W. Warner,
Covert,	Marvin,	Watkins,
Crane,	Mione,	Yocum,
Croaman,	Montgomery,	Speaker,

57

NAYS.

Mr. Corrigan,	Mr. Hicks,	Mr. Shearer,
Fowler,	Hyde,	Voorhies,
Gulley,	Martin,	

8:

Mr. Hubbell offered the following resolution:

Resolved, That the committee on engrossment and enrollment be authorized to employ such further assistance as the engrossing and enrolling clerk may require.

Adopted.

Mr. Irvine moved to take from the table,

A bill to organize the county of Grand Traverse; also

A bill to organize the townships of Grand Traverse, Antrim, Leelanaw, Charlevoix and Emmet.

Agreed to.

And the first named being under consideration,

Mr. Pierce moved to strike out the last section thereof, in the following words, to wit:

"This act shall take effect immediately."

But the motion did not prevail.

The bill was then ordered engrossed and read a third time.

The second named was then ordered to be engrossed and read the third time.

Mr. Irvine, then moved to take from the table

A bill to amend section 76, chapter 58, title 11 of the revised statutes of 1846, relative to primary schools; also,

A bill to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1849.

Agreed to.

The first named being under consideration, Mr. Irvine offered a substitute therefor.

Pending the question on which,

Mr. Corbin offered the following amendment thereto:

Amend said chapter 58, by striking out section 87.

Adopted.

Mr. Pierce offered the following amendment:

Amend section 1, line 5, by striking out after the words "school house," down to the word "the," in line 6, and insert the following: "within one week after notified by the director."

Mr. H. Hall offered the following amendment to the amendment of Mr. Pierce:

Amend by inserting in line 6, after "term," the words "apportioned by the director."

Lost.

The question was then taken on Mr. Pierce's amendment, and the same not agreed to.

Mr. Gray then offered the following amendment:

"On the day before he shall commence sending to school."

Lost.

Mr. Truesdell then offered the following amendment, to stand as an additional section:

The Secretary of State shall cause a copy of this act to be sent to the publisher of each newspaper in this State, for publication.

Adopted.

Mr. Covert then moved to strike section 8 and section 97 under it.

Mr. Darling then offered an amendment to the amendment of Mr. Covert, for which,

Mr. Ferry offered the following:

Strike out all after the word "closed," in 5th line, and insert "pro-

vided each shall have kept a school three months during such school year."

Which was accepted by Mr. Darling.

Mr. Darling then called for a division of the question-

Which was ordered.

The question being taken on striking out,

Pending which,

Mr. Crosman moved the previous question.

The previous question was demanded.

And the question being then put, "shall the main question be now put?" the same was agreed to.

The question being first on striking out, the same prevailed.

The question was then taken on inserting, but the same did not prevail.

The question was then taken on the amendment of Mr. Covert, and the same was adopted.

The question was then taken on ordering the bill to a third reading, it was ordered to be so read.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. Montgomery,
Balcombe,	L. Eaton,	A. H. Moore,
Baldwin,	Ferry,	H. M. Moore,
Barnes,	Fitch,	Pierce,
Beecher,	Gregory,	Root,
Britain,	Gulley,	Shearer,
Butterfield,	H. Hall,	Shook,
Calkins,	Hart,	Smith,
Chandler,	Hicks,	Stetson,
Childs,	Hyde,	Truesdell,
Darius Clark,	Irvine,	Town,
David Clark,	Kimberly,	Turner,
Clyburn,	Lawrence,	Voorhies,
Covert,	Martin,	Waite,
Crane,	Marvin,	W. Warner,
Darling,	Minne,	Watkins,

48

NAYS.

Mr. S. M. Case,	Mr. S. C. Hall,	Mr. Sherwood,
Corrigan,	Hitchings,	P. D. Warner,
J. B. Eaton,	Hubbell,	Wheeler,

Fowler,
Gray,

Patterson,
Sexton,

Yocum,
Speaker,

15

The second named bill being under consideration,

Mr. Hubbell moved to lay it on the table.

Agreed to.

Mr. Fowler gave notice that he would on some future day ask leave to introduce a bill to re-locate the Michigan asylums for the deaf, dumb and blind, and for the insane.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

A bill relative to land sales in Ottawa county,

A bill to authorize the treasurer of the township of Ridgeway, Lenaw county, to collect certain taxes;

A bill to organize the township of Cheshire in the county of Allegan;

A bill to amend section 76, chapter 58, title 11 of the revised statutes of 1846, in relation to primary schools;

A bill to change the names of Eliza J. Robson and Catharine Robson;

A bill to amend section 2 of an act to incorporate the Flint and Fentonville Plank Road Company, approved April 3, 1848;

A concurrent resolution relative to the adjournment of this Legislature.

Mr. Ferry, by unanimous consent, introduced

A joint resolution relative to printing the revised constitution in the Dutch language.

Laid over one day under the rule.

Mr. Barnes moved a reconsideration of the vote by which was ordered printed

A bill to amend section 5 of an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved April 3, 1848, and supplemental thereto.

Agreed to.

Mr. Irvine moved to discharge the committee of the whole from the further consideration of House bill No. 113.

Agreed to.

Mr. Church then moved a suspension of the rule, and that the bill be now read the the third time.

Agreed to.

The bill was then read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. L. Eaton,	Mr. H. M. Moore,	
Balcombe,	Ferry,	Patterson,	
Baldwin,	Fitch,	Pierce,	
Barnes,	Fowler,	Root,	
Britain,	Gray,	Sexton,	
Butterfield,	Gregory,	Shearer,	
Calkins,	Gulley,	Sherwood,	
Chandler,	S. C. Hall,	Shook,	
Childs,	Hart,	Smith,	
Church,	Hicks,	Stetson,	
Darius Clark,	Hitchings,	Truesdell,	
David Clark,	Hubbell,	Town,	
Clyburn,	Hyde,	Turner,	
Corbin,	Irvine,	Voorhies,	
Covert,	Kimberly,	Waite,	
Crane,	Lawrence,	P. D. Warner,	
Crosman,	Martin,	W. Warner,	
Darling,	Minne,	Watkins,	
Earl,	Montgomery,	Wheeler,	
J. B. Eaton,	A. H. Moore,	Speaker,	60
	NAYS.		0

The House then by a vote of two-thirds of all the members elected ordered that said act take immediate effect.

By unanimous consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, March 31, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

1. A bill to amend sections 25 and 26 of chapter 123, title 24 of the revised statutes of 1846, concerning proceedings to recover the possession of land in certain cases,

And to inform the House that the Senate have concurred therein.

Also to transmit

2. A bill to repeal sections 30, 31 and 32, chapter 123, title 24 of the revised statutes, and to provide for certain modifications in criminal cases;

3. A bill to repeal sections 2 and 3 of chapter 172 of the revised statutes of 1846, and to provide for the appointment of three inspectors of the state prison, and to prohibit the teaching of certain mechanical trades to convicts therein;

4. A bill to divide the state into Senate districts;

Each of which the Senate have passed by a vote of two-thirds of all the Senators elect; also

5. A bill to provide for a state board of equalization;

Which the Senate have passed and ordered to take immediate effect by a vote of two-thirds of all the Senators elect, and

6. A bill for the relief of Peter Patterson;

Which the Senate have passed, and in all which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE.

Secretary Senate.

The first named was ordered enrolled.

The 2d, 3d, 4th, 5th and 6th, were severally twice read, and referred as follows:

The 2d to the committee on judiciary.

The 3d to committee on State prison.

The 4th to committee on State affairs.

The 5th to committee of ways and means.

The 6th to committee on public lands.

Mr. Shearer offered a resolution relative to evening sessions.

Pending the question on which,

On motion of Mr. Gregory,

The House adjourned.

Lansing, Tuesday, April 1, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Whitmore.

The roll was called and the members all present except those excused on account of sickness.

By unanimous consent, the reading of the journal of yesterday was dispensed with.

The journal was then corrected and approved.

By unanimous consent, the Speaker announced the following message from the Senate:

Resolved, That the House of Representatives be respectfully requested to return to the Senate a bill to divide the State into Senate districts, which yesterday passed the Senate and was transmitted to the House.

SENATE CHAMBER,
Lansing, April 1, 1851. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House of Representatives the foregoing resolution, passed the Senate this day.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of Senate

On motion of Mr. Hubbell,

The committee on State affairs were discharged from further consideration of said bill, and the clerk was directed to return said bill to the Senate.

PRESENTATION OF PETITIONS.

Mr. Patterson presented the petition of several citizens of Oakland county, on the subject of a general banking law.

Mr. Stetson presented the petition of N. M. Thomas, F. Lakin Brown, Andrew Y. Moore and 108 others, electors of Schoolcraft and Prairie Ronde, asking the passage of an act authorizing the Southern Railroad company to construct a branch of said railroad from Bronson to Three Rivers.

Which were severally ordered laid on the table.

REPORTS.

Mr. Hitchings, from the committee on towns and counties, submitted the following report:

The committee on towns and counties, to whom was referred Senate bill relative to highway taxes in the city of Detroit, have had the same under consideration, and directed me to report the same back without amendment, and respectfully recommend the passage thereof.

J. P. HITCHINGS, Ch'n.

The report was accepted, the committee discharged, and the bill placed on the general order and referred to the committee of the whole.

Mr. Shook, from the committee on public lands, to whom was referred,

A bill for the relief of Peter Patterson,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

Mr. Church moved that the bill be now read a third time.

Which prevailed.

The bill was then read a third time and passed as follows:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Calkins,
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Speaker,

NAYS.

Mr. Fitch,

Mr. Fowler,

Mr. Bacon, from the committee on mines and minerals, reported

A bill to repeal an act to amend sections 2 and 3 of an act entitled an act to incorporate the Copper Falls mining company, approved March 15, 1848, approved March 8, 1851.

The report was accepted, the committee discharged, and the bill read twice.

Mr. Root moved a suspension of the rules, and that the bill be now read a third time and passed.

Which prevailed.

The bill was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. H. M. Moore,
Balcombe,	L. Eaton,	Patterson,
Baldwin,	Ferry,	Pierce,
Barnes,	Fitch,	Root,
Beecher,	Fowler,	Sexton,
Britain,	Gray,	Shearer,
Butterfield,	Gregory,	Sherwood,
D. L. Case,	H. Hall,	Shook,
S. M. Case,	S. C. Hall,	Smith,
Chandler,	Hicks,	Stetson,
Childs,	Hitchings,	Truesdell,
Darius Clark,	Hubbell,	Town,
David Clark,	Hyde,	Turner,
Clyburn,	Kimberly,	P. D. Warner,
Corrigan,	Lawrence,	Watkins,
Crane,	Martin,	Wheeler,
Crosman,	Minne,	Yocum,
Darling,	Montgomery,	Speaker,
Earl,	A. H. Moore,	56
	NAYS.	0

The House then, by a vote of two-thirds of all the members elected, directed that said act take effect immediately.

Mr. D. L. Case, from the committee on banks and incorporations, to whom was referred,

A bill to provide for the formation of companies to construct plank roads;

A bill to authorize the formation of insurance companies; and

A bill to amend section 2 of an act to incorporate the Monroe and Saline plank road company, approved April 3d, 1848,

Recommended their passage and asked to be discharged from the further consideration of the same.

The report was accepted and the committee discharged.

The first named bill was laid on the table.

The second referred to the committee of the whole and placed on the general order.

On motion of Mr. Barnes,

The third was ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Ferry,	Mr. H. M. Moore,
Baldwin,	Fitch,	Pierce,
Barnes,	Fowler,	Root,
Butterfield,	Gray,	Saxton,
D. L. Case,	Gregory,	Shearer,
S. M. Case,	Gulley,	Sherwood,
Chandler,	H. Hall,	Shook,
Childs,	S. C. Hall,	Smith,
Church,	Hart,	Stetson,
Darius Clark,	Hicks,	Truesdell,
David Clark,	Hitchings,	Town,
Corbin,	Hubbell,	Turner,
Corrigan,	Hyde,	Voorhies,
Covert,	Kimberly,	Waite,
Crane,	Lawrence,	P. D. Warner,
Croaman,	Martin,	W. Warner,
Darling,	Marvin,	Watkins,
Earl,	Minne,	Wheeler,
J. B. Eaton,	Montgomery,	Yocum,
L. Eaton,	A. H. Moore,	Speaker,

60

NAYS.

0

The House then, by a vote of two-thirds of all the members elected thereto, directed that said act shall take effect immediately.

Mr. Church, from the judiciary committee, to which was referred

A bill to repeal sections 30, 31 and 32 of chapter 128, title 24 of the revised statutes of 1846, to provide for certain modifications in criminal proceedings,

Reported the same back without amendment, recommended its passage and asked to be discharged.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Church, from the same committee, reported

A bill to provide for the removal of causes remaining in the late court of chancery.

The report was accepted, the committee discharged, and the bill referred to committee of the whole and placed on the general order.

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred

A bill to amend sections 3 and 5 of an act entitled an act to incorporate the Monroe and Dearborn plank road company, approved February 18, 1850,

Reported the same back without amendment, recommended its passage and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

Mr. Sexton moved that the bill be now read the third time.

Agreed to.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,

Mr. Minne,
Montgomery,
A. H. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

63

NAYS.

0

Mr. Britain submitted the following report:

The committee of ways and means, to whom was referred

A bill to provide for the re-assessment of certain taxes of 1850 in the township of Montcalm, in the county of Montcalm,

Have instructed me to report the same back without amendment, recommend its passage and ask to be discharged from its further consideration.

C. BRITAIN, Ch'n.

The report was accepted and the committee discharged.

On motion of Mr. H. M. Moore,

The bill was ordered to be read a third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. A. H. Moore,
Balcombe,	L. Eaton,	H. M. Moore,
Baldwin,	Fowler,	Patterson,
Barnes,	Gray,	Root,
Britain,	Gregory,	Sexton,
Butterfield,	Gulley,	Shearer,
Calkins,	H. Hall,	Sherwood,
D. L. Case,	S. C. Hall,	Shook,
S. M. Case,	Hart,	Stetson,
Church,	Hicks,	Truesdell,
David Clark,	Hitchings,	Town,
Glyburn,	Hubbell,	Turner,
Corbin,	Hyde,	Voorhies,
Corrigan,	Irvine,	Waite,
Covert,	Kimberly,	P. D. Warner,
Crane,	Martin,	W. Warner,
Grosman,	Marvin,	Wheeler,
Darling,	Montgomery,	Yocum,
Earl,		

55

NAYS.

Mr. Fitch,	Mr. Pierce,	Mr. Speaker,
Lawrence,		

4

The House then by a vote of two-thirds of all the members elected ordered that said act take immediate effect.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Gray,

A bill to amend section 5 of an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved April 3, 1848, and a bill supplementary thereto,

Was taken from the table.

Mr. Barnes offered the following amendment to come in at the end of section 8:

Provided, That nothing contained in this act shall be so construed

as to affect any contract, vested right or interest, existing, made or created at any time previous to the passage of this act.

Adopted.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. Minne,
Balcombe,	L. Eaton,	A. H. Moore,
Baldwin,	Ferry,	H. M. Moore,
Barnes,	Fitch,	Patterson,
Britain,	Fowler,	Root,
Butterfield,	Gray,	Sexton,
Calkins,	Gregory,	Shearer,
D. L. Case,	Gulley,	Sherwood,
S. M. Case,	S. C. Hall,	Shook,
Chandler,	Hart,	Truesdell,
Childs,	Hicks,	Town,
Church,	Hitchings,	Voorhies,
Darius Clark,	Hubbell,	Wait,
David Clark,	Hyde,	P. D. Warner,
Corbin,	Irvine,	W. Warner,
Corrigan,	Kimberly,	Watkins,
Crane,	Lawrence,	Wheeler,
Darling,	Martin,	Yocum.
Earl,	Marvin,	

56

NAYS.

Mr. Pierce, Mr. Speaker, 2

The House then, by a vote of two-thirds of all the members elected, directed that said act take immediate effect.

On motion of Mr. Balcomb,

A bill to amend an act entitled an act to incorporate the village of Battle Creek,

Was taken from the table.

The bill was then ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. H. M. Moore,
Balcombe,	L. Eaton,	Patterson,
Baldwin,	Ferry,	Pierce,
Barnes,	Fitch,	Root,
Beecher,	Fowler,	Sexton,
Britain,	Gray,	Shearer,
Butterfield,	Gregory,	Shook,

D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,
Darling,

Gulley,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Kimberly,
Martin,
Marvin,
A. H. Moore,

Smith,
Stetson,
Truesdell,
Turner,
Voorhies,
Waite.
P. D. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

55

NAYS.

0

Mr. Childs,

Mr. Hitchings,

Mr. Lawrence,

3

The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

Mr. Thurber moved that the bill to authorize the incorporation of bridge companies, be taken from the order of third reading of bills, and now put upon its final passage.

Agreed to.

The bill was then read the third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,
Darling,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Speaker,

57

NAYS.

Mr. Patterson,
Pierce,

Mr. Voorhies,

Mr. Yocum,

4

The House then directed by a vote of two-thirds of all the members elected, that the said act shall take effect immediately.

Mr. P. D. Warner moved that the order of third reading of bills be now taken up.

But the motion did not prevail.

Mr. Kimberly, pursuant to previous notice, on leave, introduced A bill to recover moneys paid for taxes upon lands held under tax titles.

Read a first and second time and ordered laid on the table.

Mr. Pierce offered the following resolution:

Resolved, By the House of Representatives, that the Speaker of this House be requested to inform this House, how and by what process the bill entitled a bill directing the publication of a statement of lands to be sold in the county of Cass, in 1851, was taken from the possession of the committee on enrollment, signed by the Speaker as having passed this House and been correctly enrolled and presented to the Governor for his signature, when this House by a direct vote had refused to pass a portion of said bill, to wit: that portion or section which says "this act shall take effect immediately."

After considerable debate by Messrs. Pierce, Thurber, and Hart, Mr. J. B. Eaton, moved the indefinite postponement of the whole subject.

Mr. Irvine moved the previous question.

Pending which,

Mr. Gray moved that the House adjourn.

Lost.

The previous question was then demanded.

The question was then taken, "Shall the main question be now put?" and the same decided in the affirmative.

The main question being the indefinite postponement of the resolution, the same did not prevail as follows:

YEAS.

Mr. Barnes,
D. L. Case,
Corbin,
Corrigan,
Covert,
Darling,

Mr. S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,

Mr. H. M. Moore,
Patterson,
Shearer,
Sherwood,
Shook,
Town,

L. Eaton,
J. B. Eaton,
Fitch,
Fowler,
Gregory,

Lawrence,
Martin,
Minne,
A. H. Moore,

Turner,
Voorhies,
P. D. Warner,
Watkins,

31

NAYS.

Mr. Bacon,
Baldwin,
Beecher,
Britain,
Butterfield,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,

Mr. Clyburn,
Crosman,
Earl,
Ferry,
Gray,
Gulley,
Hicks,
Kimberly,
Marvin,
Montgomery,

Mr. Pierce,
Root,
Sexton,
Smith,
Stetson,
Truesdell,
Waite,
W. Warner,
Wheeler,
Yocum,

31

The question then being on the adoption of the resolution,

After considerable discussion,

Mr. P. D. Warner moved to lay the whole subject on the table.

Lost.

Mr. Irvine then offered the following amendment to the resolution:

To strike out the latter clause of the resolution all from the word
"when."

Adopted.

Mr. Hyde then moved the indefinite postponement of the whole
subject.

Agreed to as follows:

YEAS.

Mr. Barnes,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Childs,
Church,
David Clark,
Corbin,
Covert,
Crane,
Crosman,
Darling,
J. B. Eaton,
L. Eaton,

Mr. Fitch,
Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Minne,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Speaker,

45

NAYS.

Mr. Balcombe,
Baldwin,
Beecher,
Darius Clark,
Clyburn,
Earl,

Mr. Ferry,
Gray,
H. Hall,
Martin,
Montgomery,

Mr. Pierce,
Stetson,
Truesdell,
Wheeler,
Yocum,

16.

On motion of Mr. Shearer,

The bill to amend the charter of the Plymouth plank road company,

Was taken from the table; when

Mr. P. D. Warner offered the following amendment:

Amend by striking out "and," in 4th line, and inserting "to;" also by striking out all after "Northville," in 4th line, to and including "Oakland," in 5th line.

Lost.

On motion of Mr. Shearer,

The bill was then read a third time, and passed by the following vote:

YEAS.

Mr. Balcombe,
Barnes,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,
Earl,
J. B. Eaton,
L. Eaton,

Mr. Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Watkins,
Wheeler,
Yocum,
Speaker,

56

NAYS.

Mr. Britain,

Mr. Childs,

Mr. P. D. Warner, 3

On motion of Mr. Kimberly,

The bill to authorize the supervisors of Shiawassee county to loan

money to finish their court house, redeem their county orders, and subscribe for stock in the Corunna and Saginaw Plank Road Company.

Was taken from the table.

Mr. Kimberly offered the following amendments thereto:

In section 1, 5th line, insert the words "as follows" between the words "applied" and "first."

Also in the 6th line insert the words "the payment of" between the words "towards" and "its."

In line 15, between the words "per cent" and "and," insert the words "per annum."

In section 3, line 5, between the words "subscribed" and "as," strike out the word "to," and insert the word "so."

Adopted.

The bill was then read a third time, and lost by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Barnes,
Beecher,
D. L. Case,
Chandler,
David Clark,
Corbin,

Mr. Crane,
Fowler,
Hart,
Kimberly,
Minne,
Montgomery,
A. H. Moore,
Speaker,

Mr. H. M. Moore,
Patterson,
Shearer,
Shook,
Stelson,
Turner,
P. D. Warner,

23

NAYS.

Mr. Britain,
S. M. Case,
Childs,
Church,
Clyburn,
Corrigan,
Covert,
Darling,
J. B. Eaton,
L. Eaton,

Mr. Ferry,
Gray,
H. Hall,
S. C. Hall,
Hitchings,
Hubbell,
Irvine,
Lawrence,
Marvin,
Pierce,

Mr. Sexton,
Sherwood,
Smith,
Town,
Voorhies,
W. Warner,
Watkins,
Wheeler,
Yocum,

20

Mr. Gregory moved to take from the table

A bill to amend chapter 114 of the R. S., entitled of proceedings against debtors by attachment.

Agreed to.

Mr. Darling then moved to lay on the table.

Lost.

On motion of Mr. Montgomery,

The bill was then referred to the judiciary committee.

Mr. Church moved a reconsideration of the vote by which was lost,

The bill to authorize the supervisors of Shiawassee county to loan money to finish their court-house, redeem their county orders, and subscribe for stock in the Corunna plank road company.

Agreed to.

On motion of Mr. Church,

The bill was then ordered laid on the table.

Mr. Irvine, pursuant to previous notice, asked and obtained leave to introduce

Joint resolutions in relation to the Ottawa and Chippewa Indians.

Read twice; when

Mr. Irvine moved a suspension of the rules, and that the joint resolutions be now read the third time.

Which motion prevailed.

The joint resolutions were then read a third time and passed, by the following vote:

YEAS.

Mr. Balcombe,	Mr. L. Eaton,	Mr. Patterson,
Baldwin,	Ferry,	Pierce,
Barnes,	Fitch,	Root,
Britain.	Fowler,	Sexton,
Butterfield.	Gregory,	Shearer,
D. L. Case,	H. Hall,	Sherwood,
S. M. Case,	S. C. Hall,	Shook,
Chandler,	Hart,	Smith,
Childs,	Hitchings,	Stetson,
Church,	Hubbell,	Town,
David Clark,	Hyde,	Turner,
Darius Clark,	Irvine,	Voorhies,
Clyburn,	Kimberly,	Waite,
Corbin,	Lawrence,	P. D. Warner,
Corrigan,	Martin,	W. Warner,
Covert,	Minna,	Watkins,
Crane,	Montgomery,	Wheeler,
Darling,	A. H. Moore,	Yocum,
Earl,	H. M. Moore,	Speaker,
J. B. Eaton,		

58

NAYS.

0

And the same was ordered to take immediate effect by a vote of two-thirds of all the members elected.

Mr. D. L. Case, by unanimous consent, introduced a bill relative to the Michigan Asylums.

Which was read twice and ordered laid on the table.

On motion of Mr. Hyde,

The House took a recess until 2 o'clock P. M.

—
Afternoon Session.

2 o'clock.

The House was called to order by the Speaker.

The roll was called, and Messrs. Bacon, Baldwin, Beecher, Calkins, Childs, Crosman, Earl, Fitch, Gray, Hart, Irvine, Marvin, H. M. Moore and Sexton, were absent without leave.

Mr. S. C. Hall moved a reconsideration of the vote by which was indefinitely postponed the resolution offered by Mr. Pierce this morning, relative to the bill concerning the publication of certain tax sales in the county of Cass.

Agreed to.

Mr. S. C. Hall then offered the following amendment thereto:

Amend by inserting at the end of the 9th line, the following:

"And that the Speaker cause the facts to be stated in writing, and placed upon the journal."

Adopted.

The question then being on the adoption of the resolution as amended, the same was adopted by the following vote:

YEAS.

Mr. Barnes,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Corbin,
Corrigan,
Covert,
Crane,
Darling,

Mr. J. B. Eaton,
L. Eaton,
Fitch,
Fowler,
Gregory,
S. C. Hall,
Hicks,
Hitchings,
Hubbell,
Hyde,
Lawrence,
Martin,
A. H. Moore,
Patterson,

Mr. Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Town,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Speaker,

NAYS.

Mr. Balcombe,	Mr. Gray,	Mr. Pierce,	
Darius Clark,	H. Hall	Stetson,	
Clyburn,	Irvine,	W. Warner,	
Earl,	Minne,	Wheeler,	
Ferry,	Montgomery,	Yocum,	15

Mr. Britain asked the unanimous consent of the House to introduce

A bill to amend chapter 12, and also a bill to amend chapter 59 of the revised statutes of 1846.

Mr. Church objected.

Mr. Britain then gave notice that he would when it would be in order to do so, move for leave to introduce said bills.

Mr. Church offered the following resolution:

Resolved, That the daily sessions of this House hereafter be conducted as follows: to commence in the forenoon at 8 o'clock, and in afternoon at 2 o'clock.

Adopted.

Mr. Minne moved that the committee of the whole be discharged from the further consideration of

A bill to amend section 1 of an act amending an act relative to plank roads, approved March 19, 1849.

Agreed to.

After some conversation,

On motion of Mr. Hyde,

The bill was ordered laid on the table.

The House then resolved itself into committee of the whole on the special order,

Mr. Shearer in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back to the House

A bill providing for the regulation of the sale of intoxicating liquors, and

A bill to apportion anew the Representatives among the several counties and districts of the State,

Upon which they had made some progress, and asked leave to sit again thereon.

The report was accepted and leave granted.

Mr. Truesdell then moved to take from the special order the bill to apportion the Representatives, and recommit it to the committee on State affairs, with instructions to make the details of the bill conform to the ratio of 5,000 fixed therein, and report forthwith.

Mr. Church moved to amend the motion, as follows:

Strike out "5000," and insert "5,500."

Mr. Smith offered the following amendment to the amendment:

Insert the word "white," after the word "thousand."

Adopted.

Mr. Root moved the previous question,

Pending which,

Mr. Church moved a call of the House.

Call ordered.

The roll was called, and Mr. Bacon absent without leave.

On motion of Mr. Hyde,

All further proceedings under the call were dispensed with.

Mr. P. D. Warner then asked and obtained the unanimous consent of the House to offer the following amendment to the instructions:

Add after "inhabitants," "and civilized persons of Indian descent not members of any tribe."

The demand for the previous question was then seconded.

The question then being, "shall the main question be now put," it was decided in the affirmative.

The question was then taken on the amendment of Mr. P. D. Warner, and the same was adopted by the following vote:

YEAS.

Mr. Baldwin,
Barnes,
Beecher
Brittain,
Butterfield,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Mr. Darling,
J. B. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
H. Hall,
Hicks,
Hitchings,
Hubbell,
Irvine,
Kimberly,

Mr. Lawrence,
Montgomery,
Patterson
Root,
Sherwood,
Smith,
Town,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Speaker,

NAYS.

Mr. Balcombe,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Darius Clark,
Crosman,
Earl,
L. Eaton,
Fowler,

Mr. Gulley,
S. C. Hall,
Hart,
Hyde,
Martin,
Marvin,
Minne,
A. H. Moore,
H. M. Moore,
Pierce,

Mr. Sexton,
Shearer,
Shook,
Stetson,
Truesdell,
Waite,
W. Warner,
Wheeler,
Yocum,

29

The question was then taken on the amendment of Mr. Church, and the same was adopted.

The main question then being on the motion to recommit with the instructions as amended,

The same prevailed by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Crane,
Darling,
J. B. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
H. Hall,
Hicks,
Hitchings,
Hubbell,
Irvine,
Kimberly,

Mr. Lawrence,
Montgomery,
Patterson,
Root,
Sexton,
Sherwood,
Smith,
Town,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Speaker,

59

NAYS.

Mr. Calkins,
D. L. Case,
S. M. Case,
Chandler,
Darius Clark,
Crosman,
Earl,
L. Eaton,

Mr. Fowler,
Gulley,
S. C. Hall,
Hart,
Hyde,
Martin,
Marvin,
A. H. Moore,

Mr. Pierce,
Shearer,
Shook,
Stetson,
Truesdell,
W. Warner,
Wheeler,
Yocum,

24

On motion of Mr. Darling,

A bill to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846,

Was taken from the table, when

Mr. Darling offered the following amendment:

Strike out section 12, and insert the following:

"Sec. 12. The fee of admission to the regular university course in the department of literature, science and the arts, shall not exceed ten dollars; but such course or courses of instruction as may be arranged under the provisions of section 9, of this act, shall be open without fee to the citizens of this state."

Adopted.

Mr. Church then offered the following amendment:

Amend section 5 by striking out the words "to prescribe the regular number of professors and tutors," in the second line, and insert the following: "To fix, increase and reduce the regular number."

Adopted.

Mr. Irvine then moved a reconsideration of the vote by which section 12 was stricken out, and the substitute therefor adopted.

Lost.

The question then being on ordering the bill engrossed for a third reading.

Mr. P. D. Warner moved that the engrossment thereof be dispensed with, and that the bill be now read the third time.

The motion prevailed.

The bill was then read the third time and passed, by the following vote:

YEAS

Mr. Barnes,
Beecher,
Britain,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Covert,
Crane,
Darling,
J. B. Eaton,

Mr. L. Eaton,
Fitch,
Fowler,
Gray,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,

Mr. Minne,
Montgomery,
H. M. Moore,
Patterson,
Pierce,
Shearer,
Shook,
Smith,
Stetson,
Town,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Speaker,

48

NAYS

Mr. Darius Clark,
Earl,

Mr. Truesdell,

Mr. Yocum,

4

On motion of Mr. Shook,

The committee of the whole were discharged from the further consideration of the bill to incorporate the village of Mt. Clemens.

On motion of Mr. J. B. Eaton,

The bill was then ordered to be read the third time, was so read and passed, by the following vote:

YEAS.

Mr. Barnes,
Beecher,
Britain,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
Covert,
Crosman,
J. B. Eaton,
L. Eaton,
Ferry,

Mr. Fitch,
Fowler,
Gray,
Gulley,
Hart,
Hicks,
Hitchins,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Pierce,
Root,
Shearer,
Shook,
Stetson,
Truesdell,
Town,
Turner,
White,
P. D. Warner,
Watkins,
Wheeler,

44

NAYS.

Mr. H. Hall,
S. C. Hall,

Mr. Yocum,

Mr. Speaker,

4

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act shall take immediate effect.

Mr. Crosman asked the unanimous consent of the House to introduce a joint resolution.

Mr. Hart objected.

On motion of Mr. Church,

The House then took up the order of

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

The following entitled bills and joint resolutions were read a third time, viz:

A bill to amend an act to incorporate the Lansing Coal company, approved March 28, 1849,

And on motion of Mr. Fowler,

Ordered laid on the table.

A bill relative to reports of the decisions of the Supreme court, Was read the third time, and passed by the following vote:

YEAS.

Mr. Barnes,
Beecher,
D. L. Case,
Chandler,
Church,
Darius Clark,
Clyburn,
Corbin,
Covert,
Crane,
Darling,
Earl,
J. B. Eaton,
L. Eaton,

Mr. Ferry,
Fitch,
Fowler,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Shook,
Smith,
Town,
Turner,
Wait,
P. D. Warner,
Watkins,
Speaker, 42

NAYS.

Mr. H. Hall,
Gray,
Marvin,

Mr. Pierce,
Stetson,
Truesdell,

Mr. W. Warner,
Wheeler, 8

The House then, by the constitutional vote, ordered that said act should take effect immediately.

A bill to provide for filling vacancies that exist or may occur in certain judicial offices,

Was read the third time, and passed by the following vote:

YEAS.

Mr. Balcombe,
Barnes,
Beecher,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Clyburn,
Corbin,
Covert,
Crane,
Darling,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gullev,
H. Hall,
S. C. Hall,
Hicks,
Hubbell,
Hyde,
Lawrence,
Martin,
Minne,
Montgomery,
A. A. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Shearer,
Shook,
Smith,
Stetson,
Truesdell,
Town,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker, 45

NAYS.

Mr. Calkins,
Darius Clark,

Mr. Crosman,

Mr. Marvin, 4

The House then, by the constitutional vote, ordered that said act take effect immediately.

A bill to provide for the organization and powers of the supreme court,

Was read the third time and passed by the following vote:

YEAS.

Mr. Barnes,	Mr. Gulley,	Mr. Patterson,
D. L. Case,	H. Hall,	Pierce,
Chandler,	Hart,	Root,
Childs,	Hicks,	Sexton,
Church,	Hitchings,	Shearer,
Covert,	Hubbell,	Sherwood,
Crane,	Hyde,	Stetson,
Crosman,	Kimberly,	Town,
Darling,	Lawrence,	Turner,
Earl,	Martin,	P. D. Warner,
J. B. Eaton,	Minne,	W. Warner,
L. Eaton,	Montgomery,	Watkins,
Ferry,	A. H. Moore,	Yocum,
Fitch,	H. M. Moore,	Speaker,
Fowler,		43

NAYS.

Mr. Balcombe,	Mr. Darius Clark,	Mr. Gray,
S. M. Case,	Clyburn,	S. C. Hall,
		6

The House then by a vote of two-thirds of all the members elected thereto, ordered that said act take effect from and after the first of January, 1852.

A bill to amend sections 4, 5, 6 and 11, and to repeal section 17 of an act to amend an act entitled an act to incorporate the Cotton Wood Swamp Turnpike Company. approved March 9, 1844,

Was read a third time and passed by the following vote:

YEAS.

Mr. Balcombe,	Mr. J. B. Eaton,	Mr. A. H. Moore,
Baldwin,	Ferry,	H. M. Moore,
Barnes,	Fitch,	Pierce.
Beecher,	Fowler,	Root,
D. L. Case,	Gray,	Sexton,
S. M. Case,	Gulley,	Shearer,
Chandler,	H. Hall,	Shook,
Childs,	Hart,	Smith,
Church,	Hicks,	Stetson,
Darius Clark,	Hitchings,	Town,
Clyburn,	Hubbell,	Turner,
Corbin,	Hyde,	P. D. Warner.
Covert,	Kimberly,	W. Warner,
Crane,	Lawrence,	Wheeler,
Darling,	Minne,	Yocum,
Earl,	Montgomery,	Speaker,
	NAYS.	48
		0

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act shall take effect immediately.

A bill to amend the second and fourth sections of an act to incorporate the Erin and Mt. Clemens plank road company, approved March 20, 1850,

Was read a third time and passed by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Barnes,
Beecher,
D. L. Case,
S. M. Case,
Chandler,
Church,
Corbin,
Covert,
Crane,
Darling,
J. B. Eaton,
Ferry,
Fitch,
Fowler,

Mr. Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Pierce,

Mr. Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

47

NAYS.

Mr. Britain,
Calkins,
Childs,

Mr. Darius Clark,
Clyburn,

Mr. Earl,
Gray,

3

The House then, by the constitutional vote, ordered that said act shall take effect immediately.

Mr. A. H. Moore then moved a call of the House.

Call ordered.

The roll was called, and Messrs. Bacon, Butterfield, David Clark, Corrigan, Crosman, Gregory, Irvine, Pierce, Voorhies, Waite and Watkins, were absent without leave.

On motion of Mr. Root,

The Sergeant-at-Arms was directed to procure the attendance of the absentees.

Mr. David Clark soon thereafter appearing, was permitted to render his excuse, and was excused.

Several of the other absentees soon after appearing,

On motion of Mr. Root,

All further proceedings under the call were dispensed with.

A bill to provide for taking the census and statistics for the year 1854, and every ten years thereafter,

Was then read the third time and passed, by the following vote:

YEAS.

Mr. Baldwin,	Mr. Gray,	Mr. Sexton,
Barnes,	Hicks,	Shearer,
S. M. Case,	Hitchings,	Sherwood,
Chandler,	Hubbell,	Shook,
Childs,	Hyde,	Smith,
Church,	Kimberly,	Stetson,
Darius Clark,	Lawrence,	Truesdell,
David Clark,	Martin,	Town,
Clyburn,	Minne,	Turner,
Corbin,	Montgomery,	P. D. Warner,
Covert,	A. H. Moore,	W. Warner,
Crane,	H. M. Moore,	Watkins,
Darling,	Patterson,	Wheeler,
Earl,	Pierce,	Yocum,
J. B. Eaton,	Root,	Speaker,
Fitch,		

48

NAYS.

Mr. S. C. Hall,

1

A bill to organize the county of Grand Traverse, by the following vote:

YEAS.

Mr. Balcombe,	Mr. Ferry,	Mr. Patterson,
Baldwin,	Fitch,	Pierce,
Barnes,	Fowler,	Root,
Beecher,	Gulley,	Sexton,
Britain,	H. Hall,	Shearer,
S. M. Case,	S. C. Hall,	Sherwood,
Candler,	Hicks,	Shook,
Childs,	Hitchings,	Smith,
Church,	Hubbell,	Stetson,
David Clark,	Hyde,	Truesdell,
Clyburn,	Kimberly,	Town,
Corbin,	Lawrence,	Turner,
Covert,	Martin,	P. D. Warner,
Crane,	Minne,	W. Warner,
Earl,	Montgomery,	Wheeler,
J. B. Eaton,	A. H. Moore,	Yocum,
L. Eaton,	H. M. Moore,	Speaker,

52

NAYS.

0

The House then ordered by a vote of two-thirds of all the members elected, that said act take effect immediately.

Also, a bill to organize the townships of Gaand Traverse, Antrim, Leelanaw, Charlevoix and Emmett, by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Barnes,
Beecher,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Covert,
Crane,
Crosman,
Darling,
J. B. Eaton,
L. Eaton,

Mr. Ferry,
Fitch,
Fowler,
Gulley,
H. Hall,
S. C. Hall,
Hicks,
Hitchings,
Hubbell,
Hyde,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorbies,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

52

NAYS.

Mr. Speaker,

1

Joint resolutions relative to primary school lands in Berrien county, were read a third time and passed by the following vote:

YEAS.

Mr. Balcombe,
Barnes,
Beecher,
Britain,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

53

NAYS.

The House then by a vote of two-thirds of all the members elect, directed that said resolutions take immediate effect.

A bill to amend sections 44, 46 and 47, chapter 12 of the revised statutes of 1846, relative to the board of state auditors,

Was taken up for a third reading; when

Mr. Hyde moved to recommit the bill to the committee on the judiciary with instructions to incorporate therein a provision for appeals from said board to the circuit court.

Which, after some debate, he withdrew.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Barnes,
Beecher,
Britain,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,

Mr. Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,
Yocum,

52

NAYS.

Mr. Wheeler,

Mr. Speaker,

2

The House then by a vote of two-thirds of all the members elected, ordered that said act take immediate effect.

UNFINISHED BUSINESS.

The House then took up, under the order of unfinished business,

A bill conferring additional powers upon judges of probate, and providing for the administration of the estates of deceased persons;

The question on which being on concurring in the amendments made in committee of the whole,

The same were severally concurred in.

Mr Church then offered the following amendment, to stand as two additional sections:

"Sec. —. That section eight of chapter seventy-one of said revised statutes be amended so as to read as follows, to wit:

"Sec. 8. If any executor, or administrator, heir, legatee, creditor, or other person interested in the estate of any deceased person, shall complain to the judge of probate, on oath, that any person is suspected to have concealed, embezzled, conveyed or disposed of any money, goods or chattels of the deceased, or that such person has in his possession or knowledge any deed, conveyances, bonds, contracts or other writings, which contain evidence of or tend to disclose the right, title, interest or claim of the deceased to any real or personal estate, or any claim or demand, or any last will and testament of the deceased, said judge may cite such suspected person to appear before the judge of probate, and may examine him on oath upon the matter of such complaint, and thereupon the judge of probate may make such order and decree touching the premises as the facts disclosed shall seem to require, and as to him shall seem just and right."

"Sec. —. That section ten of said chapter seventy-one be amended so as to read as follows:

"Sec. 10. The judge of probate, upon the complaint on oath of any executor or administrator, may cite any person who shall have been entrusted by such executor or administrator with any part of the estate of the deceased person, to appear before such court, and may require such person to render a full account, on oath, of any moneys, goods, chattels, bonds, accounts or other papers belonging to such estate, which shall have come to his possession, in trust for such executor or administrator, and of his proceedings thereon; and if the person so cited shall refuse to appear and render such account, the court may proceed against him as in the preceding section; or if the person so cited shall appear and render such account, then the judge of probate may thereupon make such order as to him shall seem just and right. "

Mr. Church then offered the following amendment, viz:

Strike out section 3 and insert as follows:

"Sec. 3. That section 3 of chapter 72 of the revised statutes be

so amended that it shall read as follows: "Sec. 6. The probate court may extend the time allowed to creditors to present their claims, as the circumstances of each case may require; but not so that the whole time shall exceed two years from the time of granting the letters of administration or proving the will, as the case may be, unless the court shall, upon cause shown by affidavit, that substantial justice requires further extension, grant such further extension and open the case on the application of a creditor: Provided, That before a hearing on any such application, sufficient notice shall be served on the executor or administrators, or other party interested in the estate of the deceased, and all costs of such application be paid by such creditor if he fail to establish his claim; and the judge of probate shall in all such cases require security for the costs."

Adopted.

The bill was then ordered to be engrossed and read the third time.

A bill supplemental to an act entitled an act to incorporate the St. Clair Plank Road Company, approved April 2, 1849, was ordered to be engrossed and read the third time.

A bill to provide for the appraisal and to reduce the minimum price of university lands, was taken up.

And the question being on concurring in the amendments made thereto in committee of the whole, pending which,

Mr. Fitch moved its indefinite postponement.

Mr. Church moved to lay on the table. Lost.

The question then recurring on the motion of Mr. Fitch, pending which,

On motion of Mr. Church, the House adjourned.

Lansing, Wednesday, April 2, 1851.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called and the members all present, except those excused on account of sickness.

On motion of Mr. Lawrence,

The reading and correction of the journal of yesterday was postponed until the afternoon session.

PRESENTATION OF PETITIONS.

Mr. Britain presented the remonstrance of Geo. Essicks, Philip Kephart and 118 others, citizens of Berrien county, against permitting the courts for Berrien county to be held at any other place than the county seat of said county, and against any modification of the law upon that subject.

Referred to committee on the judiciary.

Mr. S. C. Hall: the petition of J. Judd, Joseph Thomas and 20 others, for an alteration of tax laws.

Referred to the committee of ways and means.

REPORTS.

Mr. J. B. Eaton, from the committee on State Prison, submitted the following report:

The committee on State Prison, to whom was referred Senate bill No. 88, have had the same under consideration, and instructed me to report the same back with a substitute, recommend its passage, and ask to be discharged from its further consideration.

J. B. EATON, Ch'n.

The report was accepted, the committee discharged, the bill and substitute referred to the committee of the whole, and placed on the general order.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to amend section 1 of an act entitled an act in aid of the Michigan State Agricultural Society, approved March 31, 1849;

An act to amend sections 25 and 26 of chapter 123, title 24, of the revised statutes of 1846, concerning proceedings to recover the possession of land in certain cases.

Mr. Hyde, from the committee on State affairs, to whom was referred

The bill to apportion anew the Representatives among the several counties and districts of this State, with instructions to make certain amendments thereto, reported the same back amended as instructed, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the bill read twice, when

Mr. Hubbell moved that the bill be now read the third time.

Lost.

On motion of Mr. Hyde,

The bill was then ordered laid on the table.

Mr. Church, from the committee on the judiciary, to whom was referred

The bill to amend chapter 114 of the revised statutes, entitled of proceedings against debtors by attachment,

Reported the same back with a substitute therefor, recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and

On motion of Mr. Church,

The bill and substitute were ordered laid on the table.

Mr. Church, also from the same committee, reported

A bill to authorize the board of State auditors to examine and settle the claim of Samuel W. Pitts,

Recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill twice read, when,

On motion of Mr. Church,

A suspension of the rules was ordered, the bill read the third time and passed by the following vote:

YEAS.

Mr. Balcombe,

Baldwin,

Barnea.

Beecher,

Butterfield,

Calkins,

D. L. Case,

S. M. Case,

Chandler,

Childs,

Church,

Darius Clark,

David Clark,

Clyburn,

Corbin,

Covert,

Crane,

Crosman,

Darling,

Mr. Earl,

J. B. Eaton.

L. Eaton,

Ferry,

Fitch,

Fowler,

Gray,

Gregory,

Gulley,

H. Hall,

S. C. Hall,

Hart,

Hicks,

Hyde,

Irvine,

Kimberly,

Lawrence,

Minne,

Mr. Montgomery,

A. H. Moore,

H. M. Moore,

Root,

Sexton,

Shearer,

Sherwood,

Shook,

Stetson,

Truesdell,

Town,

Turner,

Waite,

W. Warner,

Watkins,

Wheeler,

Yocum,

Speaker,

NAYS.

Mr. Hubbell,
Martin,

Mr. Pierce,
Patterson,

Mr. P. D. Warner,
5

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act shall take effect immediately.

Mr. D. L. Case, from the committee on banks and incorporations, reported

A bill to authorize plank road companies to borrow money,

Recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill read twice, and,

On motion of Mr. D. L. Case,

A suspension of the rules ordered, the bill was read a third time, and passed by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Butterfield,
S. M. Case,
D. L. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Crane,
Crosman,
Darling,
Earl,

Mr. I. B. Eaton,
L. Eaton,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. Marvin,
Montgomery,
A. H. Moore,
Root,
Sexton,
Sherwood,
Smith,
Stetson,
Truesdell,
Turner,
Waite,
W. Warner,
Wheeler,
Speaker,

44

NAYS.

Mr. Britain,
Chandler,
Hubbell,

Mr. Patterson,
Pierce,

Mr. Town,
P. D. Warner,

7

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act take effect immediately.

Mr. Britain, from the committee on ways and means, to whom was referred

A bill to authorize the board of State auditors to examine and settle the claims against the State for the translation and publication of the Governor's message for the years 1850 and 1851,

Reported the same back with an amendment, asked the concurrence of the House therein, and to be discharged from its further consideration.

The report was accepted, the committee discharged, and the amendment concurred in.

Mr. Ferry moved that the bill be now read the third time.

Which prevailed.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Britain,
Butterfield,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Covert,
Crane,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. Minne,
Montgomery,
A. H. Moore,
Patterson,
Pierce,
Root,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Waite,
P. D. Warner,
Speaker,

49

NAYS.

Mr. D. L. Case,
S. C. Hall,

Mr. Marvin,

Mr. Watkins,

4

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act take immediate effect.

MESSAGES.

The Speaker announced the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES, }
Lansing, April 2, 1851. }

To the House of Representatives:

I have been instructed by the Speaker of the House of Representatives, under the authority of a resolution adopted by the House on yesterday, to state the facts in regard to the action of the House upon the bill directing the publication of a statement of lands to be sold in Cass county, in 1851.

The bill was passed by the House on the 27th ult., by a vote of 41 to 20; after which, the question was taken according to the practice of the House during this session, on bills required to take immediate effect, "will the House direct that this act shall take effect immediately?" which was decided in the negative, two-thirds of all the members elected not voting therefor. The bill was transmitted to the Senate on the same day, and returned on the 29th ult., and the House informed that the Senate had directed by the constitutional vote, that said act should take effect immediately.

The question was then distinctly stated by the Chair, in substance, "will the House concur in the Senate amendment to the bill, which amendment is to add a new section thereto, directing that it shall take effect immediately," and was decided affirmatively, by an almost unanimous vote; and the bill as amended was ordered enrolled. The enrolling committee filed a report with the clerk the same day, of its correct enrollment; which report was entered on the journal of the 29th.

It has been the usual practice of this committee to report through their chairman to the House, although it was seldom done at the last session of the Legislature, and the practice has been departed from on several occasions during this session, and their report filed with the clerk and entered on the record, without any other announcement being made to the House.

It is proper to add that an error appears in the printed copy of the journal of that day, as laid on the tables of members, as no action appears therein to have been taken by the House on the question; but the error was discovered immediately by the clerk, the correction made, and the precise action of the House will appear in the published journal of its proceedings.

Respectfully,

D. P. BUSHNELL,

Clerk of House of Rep's.

On motion of Mr. Hart,

Ordered laid on the table and printed on the journal.

Also the following message from the Senate:

SENATE CHAMBER, }
Lansing, April 1, 1851. }

To the Speaker of the House of Representatives:

Sen—I am instructed to transmit herewith,

A bill to divide the state into Senate districts,

And to inform you the Senate have passed the same, and respectfully ask the concurrence of the House therein.

Very Respectfully,

O. W. MOORE,

Secretary of the Senate.

The bill was ordered laid on the table and printed.

Also, the following from the Executive:

EXECUTIVE OFFICE, }
Lansing, April 1, 1851. }

To the House of Representatives:

I herewith transmit an account against the State in favor of Daniel Goodwin, Esq., together with a letter from him explanatory of the same.

JNO. S. BARRY.

The subject was referred to the committee of ways and means.

Also the following:

EXECUTIVE OFFICE, }
Lansing, April 2, 1851. }

To the Senate and House of Representatives:

I am prepared to make nominations for members of the board of education, when it shall suit the convenience of the Senate and House of Representatives to meet in joint convention to receive and consider the same.

JNO. S. BARRY.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Irvine,

Joint resolution relative to the unsold public lands of this State,
Was taken from the table.

Mr. Root offered the following amendment:

Strike out in 12th line, "on the most liberal terms that can be obtained."

Adopted.

Mr. Pierce then offered the following amendment:

Strike out all after the word "to," in the 11th line, and insert the following:

"Actual settlers, in subdivisions not exceeding in quantity one

hundred and sixty acres, to any one person, under such restrictions as will insure said lands to said person and his heirs forever."

Mr. Kimberly offered a substitute therefor.

Ruled out of order.

The question then recurring on Mr. Pierce's amendment,

Pending which,

Mr. Irvine moved to lay the whole subject on the table.

Agreed to.

Mr. Irvine, by consent, introduced

Joint resolution relative to the claim of William Cook.

Read a first and second time, and ordered laid on the table.

On motion of Mr. Irvine,

The committee of the whole were discharged from the further consideration of

Joint resolution in relation to the construction of several roads north of the mouth of Saginaw and Grand river.

Mr. Church offered a substitute therefor.

Mr. Britain offered the following amendment:

Strike out "Saginaw" and insert "Grand Rapids."

Pending the question on which,

Mr. Hubbell moved to lay the whole subject on the table.

Lost.

The question being on concurring in the amendment offered by Mr. Britain,

Mr. Shearer moved the previous question.

Which was demanded.

And the question being then put, "shall the main question be now put?" the same was agreed to.

The question then being on the amendment of Mr. Britain,

The same was not adopted, as follows:

YEAS.

Mr. Balcombe,
Britain,
Butterfield,
S. M. Case,
Childs,
Church,
Darius Clark,

Mr. Clyburn,
Crane,
Crosmen,
Darling,
Earl,
Ferry,
Gregory,

Mr. H. Hall,
Lawrence,
A. H. Moore,
H. M. Moore,
Pierce,
Root,
Waite,

NAYS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Calkins,
D. L. Case,
David Clark,
Corrigan,
Covert,
J. B. Eaton,
L. Eaton,
Fitch,
Fowler,

Mr. Gulley,
Hart,
Hubbell,
Hyde,
Irvine,
Kimberly,
Martin,
Marvin,
Minne,
Montgomery,
Patterson,
Sexton,

Mr. Shearer,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

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The question then recurring on the substitute of Mr. Church,

The same was not agreed to by the following vote:

YEAS.

Mr. Balcombe,
Britain,
Butterfield,
Calkins,
D. L. Case,
Childs,
Church,
Darius Clark,

Mr. Clyburn,
Crane,
Earl,
Ferry,
Fowler,
Gregory,
H. Hall,
Hart,

Mr. Hitchings,
Lawrence,
Montgomery,
Pierce,
Root,
Shearer,
Stetson,
Watkins,

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NAYS.

Mr. Bacon,
Baldwin,
Beecher,
S. M. Case,
Chandler,
David Clark,
Corbin,
Corrigan,
Darling,
J. B. Eaton,
L. Eaton,
Fitch,

Mr. Gulley,
Hubbell,
Hyde,
Irvine,
Kimberly,
Martin,
Marvin,
Minne,
A. H. Moore,
Patterson,
Sexton,
Sherwood,

Mr. Shook,
Smith,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

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The question then being on ordering the bill to a third reading,
Mr. Britain asked the unanimous consent of the House to make
the following amendment thereto, to stand as No. 2:

"A road from Grand Rapids to Grand Traverse Bay."

Mr. Kimberly objected.

Mr. Church then moved the indefinite postponement of the whole
subject.

The Speaker ruled the motion not in order.

Mr. Church appealed from the decision of the chair.

Mr. Kimberly then withdrew his objection.

Mr. Church withdrew his appeal.

Mr. Britain then renewed his motion to amend.

Mr. Kimberly then renewed his objection.

Mr. Church then renewed his appeal.

The question then being stated, "shall the decision of the chair stand as the decision of the House?"

Mr. Gregory moved to lay the question of appeal on the table.

Agreed to.

Mr. Hyde moved a reconsideration of the last vote.

Which motion prevailed.

On motion of Mr. Church,

The question of appeal was laid on the table.

Mr. Sexton offered the following resolution:

***Resolved*, by the House of Representatives, that after 12 o'clock, at noon, this day, no new bill shall be introduced into this House.**

On motion of Mr. Root,

Ordered laid on the table.

Mr. Ferry asked and obtained the unanimous consent of the House to introduce a bill to organize the county of Oceana.

Which was read twice, laid on the table and ordered printed.

Mr. Root asked and obtained the unanimous consent of the House to introduce

A bill to amend section 2 of an act to incorporate the village of Coldwater, in the county of Branch.

Read twice, when,

On motion of Mr. Root,

A suspension of the rules was ordered, the bill read a third time, and passed by the following vote:

YEAS.

**Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,**

**Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gray,
Gregory,**

**Mr. Minne,
Montgomery,
A. H. Moore,
Patterson,
Pierce,
Root,
Sherwood,**

S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,

Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,

Shook,
Smith,
Stetson,
Truesdell,
Town,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Speaker, 57

NAYS.

0

Mr. Irvine moved to take from the table a motion to reconsider the vote by which the bill to tax foreign corporation was lost.

The motion prevailed.

The vote was then reconsidered.

And the question being on the passage of the bill,

The House refused to pass the same by the following vote:

YEAS

Mr. Bacon,
Barnes,
Britain,
Butterfield,
Calkins,
Chandler,
Childs,
Church,
Corbin,
Corrigan,
Covert,

Mr. Darling,
J. B. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
Hicks,
Irvine,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Sexton,
Shearer,
Shook,
Smith,
Truesdell,
Town,
W. Warner,
Watkins,
Wheeler, 32

NAYS.

Mr. Balcombe,
Beecher,
S. M. Case,
Darius Clark,
David Clark,
Clyburn,
Crane,
Crosman,
Earl,
L. Eaton,
Fowler,

Mr. Gulley,
H. Hall,
S. C. Hall,
Hart,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,

Mr. Pierce,
Root,
Sherwood,
Stetson,
Turner,
Voorhies,
Waite,
P. D. Warner,
Yocum,
Speaker, 34

Mr. Britain, on leave, pursuant to previous notice, introduced
A bill to amend chapter 59 of the revised statutes of 1846, entitled
of the State land office and the officers connected therewith, and

A bill to amend chapter 12 of the revised statutes of 1846, relative to certain State officers.

The first named was read twice, when

Mr. Britain moved that the rules be suspended, and the bill be now read the third time.

Lost.

The bill was then ordered engrossed for a third reading.

The second named was read twice, and,

On motion of Mr. Britain,

Referred to committee of the whole and placed on the general order.

By unanimous consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, April 2, 1851. }

SIR—I am instructed to transmit to the House of Representatives the enclosed resolution, which the Senate have passed, and in which the concurrence of the House is desired.

Respectfully,

O. W. MOORE,

Secretary Senate.

The concurrent resolution was concurred in.

Mr. Patterson asked and obtained the unanimous consent of the House to introduce

A bill to provide for the enrollment of the militia of the State, to repeal sections 9 and 10 of chapter 14, of an act approved May 18, 1848, and to provide for the preservation of the State armory and arms.

Read twice, ordered laid on the table and printed.

Mr. Kimberly asked and obtained the unanimous consent of the House to introduce

A bill to authorize the county of Shiawassee to loan money.

Read a first and second time, and ordered to be engrossed and read the third time.

On motion of Mr. Crosman,

A bill to extend the time for the collection of taxes in the township of Phelps town, in the county of Ingham,

Was taken from the table.

Mr. Crozman then offered a substitute therefor. Adopted.

The bill was then ordered to be read a third time, was so read and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Crane,
Crozman,
Darling,
Earl,
J. B. Eaton,
Ferry,
Fowler,
Gray,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Lawrence,
Minne,

Mr. Montgomery,
H. M. Moore,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

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NAYS.

Mr. L. Eaton,
Fitch,
Gregory,

Mr. S. C. Hall,
Martin,
Marvin,

Mr. Patterson,
Pierce,
Town,

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The House then, by a vote of two-thirds of all the members elected thereto, directed that said act take effect immediately.

Mr. Shearer moved to take from the table the bill to establish an agricultural school, and recommit the same to the committee on education.

Agreed to.

Mr. Minne asked and obtained the unanimous consent of the House, to introduce

A bill to amend section 1 of an act amending an act relative to plank roads, approved March 19, 1849.

Read a first and second time and ordered laid on the table.

Mr. Britain offered the following resolution:

Resolved, That a committee of two be appointed to inform the Senate that the House of Representatives is now ready to meet the Senate in joint convention in the Hall of the House, to receive such communications from the Governor as he may think proper to make.

Adopted.

The Speaker appointed Messrs. Britain and Root such committee.

Mr. Sherwood, by unanimous consent, introduced

A bill to amend section 110, title 5, chapter 20, of the revised statutes of 1846.

Read twice and ordered laid on the table.

Mr. Church moved a reconsideration of the vote by which was lost,

A bill to authorize the supervisors of Shiawassee county to loan money to finish their court house, redeem their county orders, and subscribe for stock in the Corunna and Saginaw plank road company.

Agreed to.

Mr. Church then offered a substitute for said bill,

Which was laid on the table.

Mr. Hyde, pursuant to previous notice, introduced a bill to provide for certain tax returns in the county of Wayne.

Read twice, and,

On motion of Mr. Hyde,

Laid on the table.

On motion of Mr. Hyde,

A bill to provide for the compensation of judges of probate, was referred to the committee on the judiciary.

Mr. Britain, from the select committee appointed to wait on the Senate and inform that body that the House were ready to meet them in joint convention to act upon nominations made by the Governor, reported that they had discharged that duty, and that the Senate would now meet the House in joint convention for that purpose.

The Hon. the Senate were soon announced, and the Senators conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of Senators were present.

The roll of the House of Representatives was called by the Clerk

thereof, and the members all answered to their names except Mr. Fenton, who was absent on account of sickness.

The President then announced that the two Houses had met in joint convention to act upon such nominations as the Governor might make, as members of the Board of Education.

On motion of Mr. Irvine,

A committee of two was ordered to be appointed to wait on the Governor and inform him the two Houses were now met in joint convention, and ready to receive any communication he might be pleased to make.

The President appointed Mr. Irvine and Senator Isbell such committee, who soon after reported that they had discharged the duty assigned them, and that the Governor would immediately communicate with the joint convention in writing.

The following message was received from the Executive:

EXECUTIVE OFFICE, }
Lansing, April 2, 1851. }

To the Senate and House of Representatives:

I hereby nominate Consider A Stacy, of Lenawee county, to be

a member of the board of education, in place of Samuel Barstow, whose term has expired.

I also nominate Chauncey Joslin, of Washtenaw county, to be a member of the board of education, in place of George N. Skinner, deceased.

JNO. S. BARRY.

The two Houses then advised and consented to said nominations, by the following vote:

SENATORS.

YEAS.

Mr. Axford,
Barber,
Beach,
Bowne,
Case,
Christianity,
Danforth,

Mr. Dort,
French,
Harvie,
Hayden,
Isbell,
Kibbee,

Mr. LeRoy,
Mead,
Riley,
Roberts,
Shoemaker,
Sturgis,

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NAYS.

Mr. Dickey,

Mr. Thomas,

2

REPRESENTATIVES.

YEAS.

Mr. Bacon,	Mr. Ferry,	Mr. H. M. Moore,
Balcombe,	Fitch,	Patterson,
Baldwin,	Fowler,	Pierce,
Barnes,	Gray,	Root,
Britain,	Gregory,	Sexton,
Butterfield,	Gulley,	Shearer,
D. L. Case,	H. Hall,	Sherwood,
S. M. Case,	S. C. Hall,	Shook,
Chandler,	Hart,	Smith,
Ohilda,	Hicks,	Stetson,
Church,	Hitchings,	Treedell,
David Clark,	Hubbell,	Town,
Clyburn,	Hyde,	Turner,
Corbin,	Irvine,	Voorhies,
Corrigan,	Kimberly,	Waite,
Covert,	Lawrence,	P. D. Warner,
Crane,	Martin,	W. Warner,
Darling,	Marvin,	Watkins,
Earl,	Minne,	Wheeler,
J. B. Eaton,	Montgomery,	Yocum,
L. Eaton,	A. H. Moore,	Speaker, 63

NAYS.

Mr. Calkins,	Mr. Darius Clark,	Mr. Crosman,	3
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On motion of Senator Bowne,

The joint convention then adjourned without day.

O. W. MOORE,

Sec'y of the Senate,

D. P. BUSHNELL,

Clerk of H. of R.

The House was called to order by the Speaker, who announced that the two Houses, in joint convention, had advised and consented to the nomination of Consider A. Stacey and Chauncey Joslin as members of the State Board of Education.

By unanimous consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER, }
Lansing, April 2, 1851. }

To the Speaker of the House of Representatives:

Sir:—I am instructed by the Senate to transmit to the House of Representatives the enclosed joint resolution relative to enrolled bills

and resolutions which may not be reported before the final adjournment of the Legislature, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of Senate

The joint resolution was read a first and second time and laid on the table.

On motion of Mr. Hyde,

The House adjourned. ;

Afternoon Session.

2 o'clock.

The House was called to order by the Speaker.

Roll called. A quorum present.

The House then resolved itself into committee of the whole on the general order,

Mr. Church in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back to the House the following entitled bills and joint resolutions, to wit:

1. A bill to vacate in part the village plat of Grandville, in Kent county;
2. A bill authorizing certain improvements on the school section in the village of Lansing;
3. A bill to provide for the election of a district judge and regent of the university in the upper peninsula;
4. A bill to provide for notices of applications for alterations and amendments of the charters of corporations;
5. A bill to authorize the formation of corporations for mining, smelting and manufacturing iron, copper or silver ores;
6. A bill to amend an act entitled an act to incorporate the Detroit and St. Clair plank road company;
7. A bill to amend section twenty-two of an act relative to plank roads, approved March 13, 1848, in reference to subscriptions of stock;

8. A bill prescribing the duties of the Superintendent of public instruction, and to repeal chapter 56 of the revised statutes of 1846, and an act to amend said chapter 56, approved March 29, 1850;
9. A bill to establish an agricultural school;
10. A bill to provide for the incorporation of railroad companies;
11. A bill to facilitate the study of anatomy;
12. A bill supplemental to an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849;
13. A bill ceding to the United States jurisdiction over a certain parcel of land at the mouth of Muskegon river;
14. Joint resolution authorizing the Auditor General to draw certain warrants in place of warrants which have been lost, upon proof of such loss.
15. A bill establishing police regulations for the preservation of property on the lines of rail roads, and for other purposes;
16. A bill to provide for holding general and special elections;
17. A bill supplementary to an act entitled an act to incorporate the Grand Rapids and Plainfield plank road company, approved March 20, 1850;
18. A bill to provide for holding general elections in the upper peninsular
19. Joint resolution relative to granting lands to actual settlers;
20. A bill to amend sections 1, 2 and 3 of chapter 95 of the revised statutes of 1846;
21. A bill to repeal certain acts relative to elections;
22. A bill to provide for the completion of the canal and locks around the rapids of Grand river at Grand Rapids;
23. A bill to change the name of John Atson Atwater, to John Atson Rosebrook;
24. A bill to repeal chapter 36 of title 8 of the revised statutes of 1846, relative to medical societies;
25. A bill supplemental to an act incorporating and the acts amending the Detroit, Romeo and Port Huron Railroad Company,
26. A bill supplemental to an act entitled an act to incorporate the Walker and Vergennes Plank road Company, approved April 1st, 1850;
27. A bill to cede jurisdiction to the United States over land to be occupied as a site of light house buildings in this state;

28. A bill relative to the Men of mechanics, and others;
29. A bill to provide for vacating a portion of the Grand River road;
30. A bill to repeal sections 7, 8, 9, 10, 11 and 12, of an act entitled an act to provide for the removal of the State land office to the seat of government, approved March 31, 1849;
31. A bill to attach townships 5, 6, 7, 8, 9 and 10, north of range 13 west, to the county of Kent;
32. A bill to attach townships 9 and 10, north of range 9 west, to the county of Montcalm;
33. A bill to prevent the circulation of foreign notes;
34. A bill relating to the conveyance of real estate;
35. A bill to amend section 10 of chapter 155 of title 30 of the revised statutes of 1846, relative to crimes and the punishment thereof;
36. A bill to provide for publishing the annual report of the Michigan State Agricultural Society;
37. A bill to perfect the organization of the county of Ontonagon in the upper peninsula;
38. A bill to provide for publishing the statistics of this State taken by authority of the United States in the year 1850;
39. A bill in relation to the Erie and Kalamazoo Rail Road Company;
40. A bill to vacate the village plat of Charleston, in the county of Ottawa;
41. A bill to authorize certain townships and villages to take stock in the Port Huron and Lapeer plank road company;
42. A bill to amend sections 1 and 2 of an act entitled an act to incorporate the Cassopolis and Dowagiac plank road company, approved March 25, 1850, and
43. A bill to vacate the village plat of New Canandagua City, in the county of Oakland;

The first 27 named without amendment, and the 16 last named with amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration of said bills.

The report was accepted and the committee discharged.

By unanimous consent, the Speaker announced the following message from the Executive:

EXECUTIVE OFFICE,
Lansing, April 2, 1851. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend section 2 of an act to incorporate the Flint and Fentonville Plank Road Company, approved April 3, 1848;

An act to authorize the treasurer of the township of Ridgeway, Lenawee county, to collect certain taxes;

An act relative to land sales in Ottawa county;

An act to organize the township of Cheshire in the county of Allegan;

An act to amend sections 25 and 26 of chapter 123, title 24 of the revised statutes of 1846, concerning proceedings to recover the possession of land in certain cases;

An act to amend section 1 of an act entitled an act in aid of the Michigan State Agricultural Society, approved March 31, 1849;

An act to amend section 76, chapter 58, title 11 of the revised statutes of 1846, in relation to primary schools;

An act to change the names of Eliza J. Robson and Catharine Robson.

JNO. S. BARRY.

Also the following communication:

SENATE CHAMBER,
Lansing, April 2, 1851. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House of Representatives,

A resolution which the Senate have adopted in relation to the election of two trustees of the Michigan Asylum for the education of the deaf, dumb and blind and of the asylum for the insane, in the place of Elon Farnsworth and Charles C. Hascall, whose terms of office have expired, in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,
Sec'y of Senate.

The concurrent resolution was concurred in.

Mr. Hart moved that the committee of the whole be discharged

from the further consideration of the "Woodcock bill," and that the same be referred to the committee on mines and minerals.

Agreed to.

Mr. Corrigan, from the committee on supplies and expenditures, submitted the following report:

The committee on supplies and expenditures, through their chairman, report a bill to authorize the payment of certain expenses for the years eighteen hundred and fifty and fifty-one, recommend its passage and ask to be discharged from the further consideration thereof.

P. CORRIGAN, Ch'n.

The report was accepted, the committee discharged, the bill twice read, ordered laid on the table and printed.

Mr. Church, from the judiciary committee, reported

A bill to amend section 3 of an act to provide for the trial of civil causes in the circuit court by jury, approved March 28, 1850.

Read twice, ordered laid on the table and printed.

Mr. Britain, by unanimous consent, introduced

A bill to amend chapter 24, title 6 of the revised statutes of 1846, in relation to the commutation for highway labor, and the levy and collection thereof.

Read twice, ordered laid on the table and printed.

Mr. Crosman gave notice that on some future day he would ask leave to introduce

A joint resolution in reference to the claim of Joel Burgess.

Mr. Kimberly introduced joint resolutions, by consent.

Ruled out of order.

Mr. H. Hall moved that the House adjourn.

Lost.

Mr. D. L. Case asked and obtained the unanimous consent of the House to introduce

A bill to amend section 1 of an act entitled an act to incorporate the Ann Arbor manufacturing company, approved April 1, 1848.

Read twice, ordered laid on the table and printed.

On motion of Mr. Montgomery,

The House adjourned.

Lansing, Thursday, April 3, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called and the members answered to their names, except those excused on account of sickness.

The reading of the journal of yesterday was, by unanimous consent of the House, dispensed with.

The journal of Tuesday was corrected and approved.

PRESENTATION OF PETITIONS.

Mr. D. L. Case presented the petition of H. Hays and 12 others, praying for the passage of a law prohibiting the sale of intoxicating liquors as a beverage.

Referred to the special order.

MESSAGES.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, April 2, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith, the following entitled bills:

1. A bill to amend the charter of the village of Niles;
2. Joint resolution authorizing the board of State Auditors to examine and settle the claim of Eneas Daly;
3. A bill to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2, 1850;
4. A bill to establish the township line between the townships of Clinton and Harrison in the county of Macomb;
5. A bill to regulate proceedings in attachment against foreign corporations in certain cases;
6. A bill to authorize the re-apportionment of certain primary school moneys in the county of Branch;
7. A bill to authorize and direct the Secretary of State to execute by deed, a conveyance of a certain tract of land to Robert B. McKay;
8. A bill to authorize the incorporation of bridge companies;
9. A bill to amend chapter 60, title 12 of the revised statutes;
10. A bill to provide for supplying townships with certain books;

And to inform the House of Representatives that the Senate have concurred therein, the two first named with amendments, and have by a two-thirds vote of all elected directed them, with the exception of the last named, to take immediate effect.

Also to transmit the following:

11. A bill to incorporate the city of Ann Arbor;
12. Joint resolution relative to costs of a proceeding for the investigation of charges against J. R. Baker;
13. A bill to perfect the organization of the county of Marquette, in the upper peninsula, and to attach the county of Schoolcraft thereto for judicial purposes;
14. A bill supplemental to an act to incorporate the Plymouth and Dearborn plank road company;
15. A bill to prohibit the maintaining of suits in equity by judgment creditor's bill, to provide a remedy at law in lieu thereof, and to repeal sections 24 and 25 of chapter 90 of the revised statutes of 1846;
16. A bill to amend section 18 of chapter 82 of the revised statutes of 1846, relative to chattel mortgages;
17. A bill relating to depositions of witnesses;
18. A bill to amend the 2d section of an act entitled an act to incorporate the Eagle Harbor mining company, approved March 27, 1848;
19. A bill to amend section 181 of chapter 93 of the revised statutes of 1846, in reference to actions of replevin before justices of the peace;
20. Joint resolution to authorize the Auditor General to cancel the charge for the $2\frac{1}{2}$ mill tax against the county of Lenawee for the year 1850;

And to inform the House of Representatives that the Senate have passed the same, and have by a two-thirds vote of all elect, ordered the 1st, 2d, 3d, 4th, 9th and 10th to take effect immediately, in all of which the concurrence of the House is respectfully asked.

I am also instructed to return to the House of Representatives,

21. A bill to provide for auditing and paying the expenses of the constitutional convention;
22. A bill to amend section two of an act to incorporate the Michigan Mining Company, approved March 30, 1848.

28. A bill to amend an act entitled an act to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan, approved March 10, 1847;

Which have passed the Senate with amendments, and directed by a two-thirds vote to take effect immediately, in all of which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,

Secretary Senate.

The amendments to the first and second named were severally concurred in, and the bills as amended ordered enrolled.

The 3d, 4th, 5th, 6th, 7th, 8th, 9th and 10th, were severally ordered enrolled.

The 11th was twice read, and

On motion of Mr. Marvin,

The rule was suspended, the bill ordered to a third reading, was so read and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Yocum,

59

NAYS.

Mr. Speaker,

1

The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

The 12th was twice read and referred to the committee of ways and means.

The 13th twice read and referred to the committee on mines and minerals.

The 14th was twice read, when

Mr. Shearer moved that the rule be suspended, and the bill now read the third time.

Agreed to.

The bill was then read the third time and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. H. M. Moore,
Balcombe,	L. Eaton,	Patterson,
Beecher,	Fowler,	Sexton.
Butterfield,	Gregory,	Shearer,
Calkins,	Gulley,	Sherwood,
D. L. Case,	H. Hall,	Shook,
Chandler,	Hart,	Stetson,
Childs,	Hicks,	Town,
Darius Clark,	Hitchings,	Turner,
David Clark,	Hubbell,	Voorhies,
Clyburn,	Hyde,	Waite,
Corbin,	Kimberly,	P. D. Warner,
Corrigan,	Lawrence,	W. Warner,
Covert,	Martin,	Watkins,
Crane,	Marvin,	Yocum,
Crosman,	Montgomery,	Speaker,
Earl,	A. H. Moore,	

50

NAYS.

Mr. Barnes,	Mr. Gray,	Mr. Smith,
Fitch,		

4

The House then directed by a vote of two-thirds of all the members elected, that the said act shall take effect immediately.

The 15th was twice read and referred to the committee on the judiciary.

The 16th was twice read, when

Mr. Gregory moved that the rule be suspended, and the bill be now read the third time.

Agreed to.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
Calkins,
D. L. Case,
Candler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Crane,
Crosman,
Darling,
Earl,
L. Eaton,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Lawrence,
Martin,

Mr. Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Panerson,
Shearer,
Sherwood,
Shook,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Yocum,
Speaker,

50

NAYS.

Mr. J. B. Eaton,
H. Hall,

Mr. S. C. Hall,
Kimberly,

Mr. Root,

5

The 17th was twice read and referred to the judiciary committee.

The 18th was twice read and referred to the committee of ways and means.

The 19th was twice read and referred to the judiciary committee.

The 20th was twice read, and

On motion of Mr. Darling,

The rule suspended, the bill ordered to be read the third time, was so read and passed, by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Barnes,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hyde,
Irvine,
Kimberly,

Mr. Montgomery,
H. M. Moore,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Turner,
P. D. Warner,
W. Warner,
Watkins,

Crane,
Darling,
J. B. Eaton,

Lawrence,
Martin,
Marvin,

Speaker,

49

NAYS.

Mr. Hubbell,
A. H. Moore,

Mr. Patterson,

Mr. Yocum,

4

The amendments to the 21st named were concurred in, and the bill as amended ordered enrolled.

The amendment to the 22d was non-concurred in.

The amendments to the 23d were concurred in, and the bill as amended ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. J. B. Eaton offered the following resolution:

Resolved, That the committee on State affairs be and they are hereby instructed to report back to the House, this forenoon, the bill to divide the State into Congressional districts.

Ordered laid on the table.

On motion of Mr. Hart,

A bill to provide for the formation of companies to construct plank roads,

Was taken from the table; when

Mr. Beecher offered the following amendment thereto:

Amend section 31, by inserting after the word "public," in 3d line, the words "or private."

Lost.

Mr. Fitch moved to strike out section 51 thereof.

Lost.

Mr. Britain moved to recommit to committee on banks and incorporations, with instructions so to amend it as to permit townships to hold stock in roads to the amount of the value of the township roads used by the company.

Agreed to, by the following vote:

YEAS.

Mr. Balcombe,
Beecher,
Britain,
Butterfield,
Childs,
Clyburn,

Mr. Darling,
J. B. Eaton,
L. Eaton,
Fitch,
Gray,
H. Hall,

Mr. Lawrence,
Martin,
Marvin,
Minne,
Sexton,
Shearer,

Corbin,
Corrigan,
Covert,
Crane,
Crosman,

S. C. Hall,
Hicks,
Hitchings,
Hubbell,

Sherwood,
Smith,
Town,
Voorhies,

31

NAYS.

Mr. Bacon,
Baldwin,
Barnea,
D. L. Case,
S. M. Case,
Chandler,
Darius Clark,
David Clark,
Earl,
Ferry,

Mr. Fowler,
Gregory,
Gulley,
Hart,
Hyde,
Irvine,
Kimberly,
Montgomery,
H. M. Moore,
Pierce,

Mr. Root,
Shook,
Truesdell,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yecum,
Speaker,

30

Mr. J. B. Eaton moved that the committee of the whole be discharged from the further consideration of the substitute reported by the committee on State Prison, to Senate bill No. 83.

Agreed to.

And the question being on the adoption of the House substitute therefor, the same was adopted.

Mr. J. B. Eaton then moved that the rules be suspended and the bill now read the third time.

Lost.

The substitute was then ordered to be engrossed for a third reading.

Mr. Irvine then moved to take from the table

Joint resolution in relation to the construction of several roads north of the mouth of Saginaw river.

Agreed to.

Mr. A. H. Moore moved its indefinite postponement.

Lost.

The question then being on the appeal of Mr. Church from the decision of the Chair,

He withdrew it.

The question then being on the amendment offered on yesterday, the same was adopted.

Mr. D. L. Case then offered the following amendment:

"A road from Ionia via Montcalm to Grand Traverse Bay."

Adopted.

The joint resolutions were then ordered to be engrossed and read the third time.

Mr. Turner moved that they be now read the third time.

Agreed to.

The joint resolutions were then read the third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Darling,	Mr. Martin,	
Balcombe,	Earl,	Marvin,	
Barnes,	J. B. Eaton,	Minna,	
Beecher,	L. Eaton,	Montgomery,	
Britain,	Ferry,	H. M. Moore,	
Butterfield,	Fitch,	Root,	
D. L. Case,	Fowler,	Sexton,	
S. M. Case,	Gray,	Shearer,	
Chandler,	Gregory,	Sherwood,	
Childs,	H. Hall,	Smith,	
Church,	S. C. Hall,	Stetson,	
Darius Clark,	Hart,	Town,	
David Clark,	Hicks,	Turner,	
Clyburn,	Hitchings,	Voerbies,	
Corbin,	Hubbell,	Waite,	
Corrigan,	Hyde,	P. D. Warner,	
Covert,	Irvine,	W. Warner,	
Crane,	Kimberly,	Watkins,	
Crosman,	Lawrence,	Speaker,	57

NAYS.

Mr. A. H. Moore,

1

On motion of Mr. Gregory,

A bill to amend chapter 114 of the revised statutes of 1846, entitled of proceedings against debtors by attachment,

Was taken from the table; and the question being on concurring in the substitute therefor, the same was concurred in.

On motion of Mr. Shearer,

The bill was then ordered to be read the third time, was so read and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. Crane,	Mr. H. M. Moore,
Balcombe,	Darling,	Shearer,
Baldwin,	Earl,	Sherwood,
Beecher,	Gregory,	Shook,

Britain,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Church,
David Clark,
Clyburn,

H. Hall,
Hart,
Hitchings,
Hubbell,
Irvine,
Minne,
Montgomery,
A. H. Moore,

Smith,
Stetson,
Turner,
Voorhies,
Waite.
P. D. Warner,
Speaker,

35

NAYS.

Mr. Barnes,
D. L. Case,
Childs,
Darius Clark,
Corrigan,
Cresman,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
S. C. Hall,
Kimberly,

Mr. Martin,
Marvin,
Pierce,
Root,
Sexton,
Town,

19

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act take immediate effect.

On motion of Mr. Church,

Joint resolutions authorizing the Commissioner of the land office to sell to James Waters the south-west one-fourth of south-east one-fourth of section-16, town 6 north of range 12 west, was taken from the table; when

Mr. Britain offered the following amendment thereto:

Add, to come in at the end of resolution, "and all arrearages of interest on the original sale."

Adopted.

On motion of Mr. Church,

The joint resolutions were then read the third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Britain,
Butterfield,
Calkins,
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gulley,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Kimberly,
Lawrence,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,

Clyburn,	Martin,	P. D. Warner,	
Corrigan,	Marvin,	W. Warner,	
Covert,	Montgomery,	Yocum,	
Crane,	A. H. Moore,	Speaker,	
Crosman,	H. M. Moore,		50
	NAYS.		6

Mr. Britain, by unanimous consent of the House, introduced
 Joint resolutions relative to the claim of Thomas Ritcher;
 Joint resolution relative to the claim of Daniel Goodwin; and
 Joint resolution relative to the claim of the heirs of Orson R. Wil-
 lard,

Severally read a first and second time and referred to the com-
 mittee of the whole.

On motion of Mr. Ferry,

A bill to organize the county of Oceana, was taken from the table,
 ordered to a third reading, was so read and passed by the following
 vote:

YEAS.			
Mr. Bacon,	Mr. L. Eaton,	Mr. Patterson,	
Barnes,	Ferry,	Pierce,	
Beecher,	Fitch,	Sexton,	
Britain,	Fowler,	Shearer,	
Butterfield,	Gray,	Sherwood,	
Calkins,	Gregory,	Shook,	
D. L. Case,	Gulley,	Smith,	
Childs,	H. Hall,	Truesdell,	
Church,	S. C. Hall,	Town,	
Darius Clark,	Hart,	Turner,	
David Clark,	Hitchings,	Voorhies,	
Clyburn,	Hyde,	Waite,	
Corrigan,	Kimberly,	P. D. Warner,	
Crane,	Martin,	W. Warner,	
Crosman,	Minne,	Watkins,	
Darling,	Montgomery,	Yocum,	
Earl,	A. H. Moore,	Speaker,	
J. B. Eaton,	H. M. Moore,		53
	NAYS.		

Mr. Lawrence, 1

Mr. Crosman, pursuant to previous notice, on leave, introduced
 Joint resolution relative to the claim of Joel Burgess.

Read a first and second time and referred to the committee of
 the whole.

On motion of Mr. Minne,

A bill to amend section one of an act amending an act relative to plank roads, approved March 19, 1849,

Was taken from the table, ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Croaman,

Mr. Darling,
Earl,
I. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
H. Hall,
Hart,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker, 54

NAYS.

0

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act take effect immediately.

On motion of Mr. Kimberly,

A bill to recover moneys paid for taxes upon lands held under tax titles, was taken from the table,

And the same being under consideration, was,

On motion of Mr. Fitch,

Indefinitely postponed.

Mr. Darius Clark offered the following resolution:

Resolved, That the Governor furnish to this House as soon as convenient, a copy of the state prison scrip issued by the agent in lieu of cash drawn from the State Treasury to pay officers, guards, laborers, and other prison expenses, and such other information as he may deem proper to communicate in relation to it.

Mr. Hyde moved to amend the resolution, so as to read: "That the Governor be respectfully requested." &c.

Agreed to.

And the resolution as amended, was adopted.

Mr. Shearer moved a reconsideration of the vote by which the bill to provide for the formation of plank road companies was re-committed to the committee on banks and incorporations with instructions.

Mr. Britain moved a call of the House.

Call ordered.

The roll was called, and Messrs. Baldwin, Hicks, Voorhies and Wheeler absent without leave.

Mr. Yocum asked and obtained leave for Mr. Wheeler on account of sickness.

On motion of Mr. Turner,

All further proceedings under the call were dispensed with.

The question was then taken on the motion to reconsider, and the same was agreed to by the following vote:

YEAS.

Mr. Bacon,	Mr. Ferry,	Mr. Root,
Barnes,	Fowler,	Shearer,
Calkins,	Gregory,	Shook,
D. L. Case,	Gulley,	Truesdell,
Chandler,	Hart,	Turner,
Church,	Hyde,	Waite,
Darius Clark,	Irvine,	P. D. Warner,
David Clark,	Kimberly,	W. Warner,
Corbin,	Montgomery,	Yocum,
Crane,	A. H. Moore,	Speaker,
Earl,	H. M. Moore,	

22

NAYS.

Mr. Balcombe,	Mr. L. Eaton,	Mr. Marvin,
Britain,	Fitch,	Minne,
Butterfield,	Gray,	Patterson,
S. M. Case,	H. Hall,	Pierce,
Childs,	S. C. Hall,	Sexton,
Clyburn,	Hitchings,	Sherwood,
Corrigan,	Hubbell,	Smith,
Covert,	Lawrence,	Town,
Darling,	Martin,	Watkins,
J. B. Eaton,		

23

Mr. Butterfield then offered the following amendment:

Provided, That such company shall pay to the highway commis-

sioners for the use of public highways a fair and just compensation for such highways or roads.

Mr. Hyde then moved the previous question, which was demanded.

The question then being, shall the main question be now put? the same was decided in the affirmative.

The question was then taken on Mr. Butterfield's amendment, and the same was not adopted by the following vote:

YEAS.

Mr. Balcombe,
Britain,
Butterfield,
S. M. Case,
Chandler,
Childs,
Corbin,
Covert,
Crosman,

Mr. Darling,
J. B. Eaton,
L. Eaton,
Fowler,
Gray,
H. Hall,
S. C. Hall,
Hitchings,
Hubbell,

Mr. Lawrence,
Martin,
Marvin,
Sexton,
Sherwood,
Smith,
Town,
Watkins,
Yocum, 27

NAYS.

Mr. Bacon,
Barnes,
Beecher,
Calkins,
D. L. Case,
Church,
David Clark,
Clyburn,
Corrigan,
Crane,
Earl,

Mr. Ferry,
Fitch,
Gregory,
Gulley,
Hart,
Hyde,
Irvine,
Kimberly,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Root,
Shearer,
Shook,
Truesdell,
Turner,
Waite,
P. D. Warner,
W. Warner,
Speaker, 32

The question then being on ordering the bill to be read a third time, it was ordered to be so read and passed by the following vote.

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Calkins,
D. L. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Crane,

Mr. J. B. Eaton,
Ferry,
Fitch,
Gregory,
Gulley,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,

Crosman,
Earl,

Patterson,
Root,

Speaker,

44

NAYS.

Mr. Britain,
Butterfield,
S. M. Case,
Corrigan,
Covert,
Darling,

Mr. L. Eaton,
Fowler,
Gray,
H. Hall,
S. C. Hall,
Hubbell,

Mr. Lawrence,
Martin,
Marvin,
Minne,
Pierce,
Sexton,

18

The House then by a vote of two-thirds of all the members elected ordered that said act take immediate effect.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and this day presented to the Governor for his approval:

An act to provide for supplying townships with certain books.

The hour having arrived at which it had been previously agreed that the two Houses meet in joint convention for the election of trustees of the Michigan Asylums,

On motion of Mr. Irvine,

A committee of two was appointed to wait on the Senate and inform them that the House were now ready to meet in joint convention.

The Speaker appointed Messrs. Irvine and Darius Clark such committee, who soon thereafter returned, and reported that they had discharged the duty assigned them.

The Hon. Senators were then announced and conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of Senators were present.

The roll of the House of Representatives was called by the Clerk thereof, and the members all answered to their names except those absent on account of sickness.

The President announced that the two Houses had met in joint convention for the purpose of electing two trustees of the Michigan Asylums for the education of the deaf, dumb and blind, and of the Asylum for the Insane, in the place of Elon Farnsworth and Chas. C. Hascall, whose terms of office had expired.

Senator Harvie nominated Elon Farnsworth.

" Roberts	" C. C. Haskell.
" Hayden	" J. W. Willard.
" Isbell	" K. S. Bingham.
" Dickey	" Samuel Barstow.
" Case	" Sanford M. Green.
" Kibbee	" G. M. Mason.
" French	" H. B. Stillman.
Mr. Patterson	" N. C. Parkhurst.
" Hart	" E. Ransom.
" Lawrence	" C. B. Benton.
" Root	" F. J. Littlejohn.
" Gray	" James F. Joy.
" Kimberly	" John Bacon.
" Beecher	" George H. Hazleton.
" Chandler	" D. C. Walker.

The roll of the Senate was then called by the Secretary thereof, and the Senators severally rose in their places, and voted as follows:

FOR ELON FARNSWORTH:

Mr. Axford, Beach, Bowne, Case, Christianity,	Mr. Donforth, Dort, Harvie, Hayden, Kibbee,	Mr. Mead, Riley, Roberts, Shoemaker, Sturgis,	15
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FOR SAMUEL BARSTOW:

Mr. Dickey, Isbell,	Mr. LeRoy,	Mr. Thomas,	4
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FOR H. B. STILLMAN.

Mr. French,	1
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The roll of the House of Representatives was called by the Clerk thereof, and the members severally rose in their places, and voted as follows:

FOR ELON FARNSWORTH:

Mr. Barnes, Britain, Butterfield, S. M. Case, Chandler, Church, David Clark,	Mr. L. Eaton, Fitch, Fowler, Gregory, Gulley, Hitchings, Hubbell,	Mr. A. H. Moore, Patterson, Sexton, Shearer, Sherwood, Shook, Smith,
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Corbin,
Corrigan,
Covert,
Darling,
J. B. Eaton,

Hyde,
Irvine,
Lawrence,
Martin,
Minne,

Town,
Turner,
P. D. Warner,
Watkins,

85

FOR SAMUEL BARSTOW:

Mr. Bacon,
Bolcembe,
Beecher,
Calkins,
Childs,
Darius Clark,
Olyburn,
Crane,

Mr. Crosman,
Earl,
Ferry,
H. Hall,
Marvin,
Montgomery,
Pierce,

Mr. Root,
Stetson,
Truesdell,
Waite,
W. Warner,
Wheeler,
Yocum,

22

FOR FREDERICK HALL:

Mr. D. L. Case,
S. C. Hall,

Mr. H. M. Moore, Mr. Speaker,

4

FOR JOHN BACON:

Mr. Hart,

Mr. Kimberly,

2

The President announced that Elon Farnsworth having received a majority of all the votes, was declared duly elected a trustee of the Michigan Asylum for the education of the deaf, dumb and blind, and of the asylum for the insane.

The convention then proceeded to a second balloting. The roll of the Senate being called, the Senators severally rose in their places and voted as follows:

FOR SANFORD M. GREEN:

Mr. Bowne,
Case,
Danforth,

Mr. Kibbee,
Riley,

Mr. Shoemaker,
Sturgis,

7

FOR C. C. HASKELL:

Mr. Axford,
Beach,

Mr. French,

Mr. Roberts,

4

FOR SAMUEL BARSTOW:

Mr. Christiancy,
Dickey,

Mr. Hayden,
Isbell,

Mr. LeRoy,
Thomas,

6

FOR D. C. WALKER:

Mr. Mead,

1

FOR N. C. PARKHURST:

Mr. Dort,

Mr. Harvie,

2

The roll of the House of Representatives was then called by the

Clerk, and the members thereof severally rose in their places and voted as follows:

FOR SANFORD M. GREEN.

Mr. Britain, Church,	Mr. Darling, Fitch,	Mr. Lawrence, Town,	6
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FOR FREDERICK HALL.

Mr. D. L. Case, David Clark, J. B. Eaton, Gregory, S. C. Hall,	Mr. Hitchings, Hyde, Irvine, H. M. Moore,	Mr. Shearer, Sherwood, Stetson, Watkins,	13
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FOR H. C. PARKHURST.

Mr. Butterfield, Corbin, Covert, Earl,	Mr. Gulley, Hubbell, Martin, A. H. Moore,	Mr. Patterson, P. D. Warner, Speaker,	11
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FOR C. C. HASCALL.

Mr. Corrigan, L. Eaton,	Mr. Hart, Minne,	Mr. Sexton, Turner,	6
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FOR GEO. W. PECK.

Mr. Barnes,	Mr. S. M. Case,	Mr. Fowler,	3
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FOR D. C. WALKER.

Mr. Chandler,	Mr. Shook,		2
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FOR F. J. LITTLEJOHN.

Mr. Balcombe,			1
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FOR WHITNEY JONES.

Mr. Childs, Darius Clark, Crane, Crosman,	Mr. Ferry, H. Hall, Pierce, Root,	Mr. Truesdell, Wait, W. Warner, Yocum,	12
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FOR SAMUEL BARSTOW.

Mr. Bacon, Calkins,	Mr. Clyburn, Marvin,	Mr. Montgomery,	5
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FOR GEO. W. HAZLETON.

Mr. Beecher,	Mr. Kimberly,		2
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The President announced that no one having received a majority of the votes, the joint convention would proceed to a second vote:

Senator Harvie then moved that the convention take a recess until seven o'clock.

Senator Isbell moved to amend the motion by striking out "seven"

and inserting "two, or as soon thereafter as the House should notify the Senate of their readiness to receive them."

Senator Roberts moved that the convention adjourn.

Lost.

Senator Harvie then nominated Wm. M. Fenton.

Senator Roberts then withdrew the name of C. C. Hascall and nominated Wm. M. Fenton.

On motion of Senator Isbell,

The Convention then proceeded to a second vote, and the roll of the Senate being called, the Senators severally rose in their places and voted as follows:

FOR WILLIAM M. FENTON.

Mr. Axford,	Mr. Danforth,	Mr. Mead,	
Barber,	Dort,	Riley,	
Beach,	French,	Roberts,	
Bowne,	Harvie,	Shoemaker,	
Case,	Kibbee,	Sturgis,	15

FOR WHITNEY JONES.

Mr. Christiancy,	Mr. Hayden,	Mr. Le Roy,	
Dickey,	Isbell,	Thomas,	6

The roll of the House of Representatives was then called, and the Representatives severally rose in their places and voted as follows:

FOR WILLIAM M. FENTON.

Mr. Britain,	Mr. Fitch,	Mr. A. H. Moore,	
Butterfield,	Gulley,	Root,	
Church,	Hart,	Sexton,	
Corbin,	Lawrence,	Smith,	
Corrigan,	Martin,	Town,	
Darling,	Minne,	Turner,	
L. Eaton,	Montgomery,	Watkins,	21

FOR FREDERICK HALL.

Mr. D. L. Case,	Mr. Gregory,	Mr. H. M. Moore,	
S. M. Case,	S. C. Hall,	Shearer,	
Chandler,	Hitchings,	Sherwood,	
David Clark,	Hyde,	Shook,	
J. B. Eaton,	Irvine,	Speaker,	16
Fowler,			

FOR N. C. PARKHURST.

Mr. Covert,	Mr. Hubbell,	Mr. P. D. Warner,	
Earl,	Patterson,		5

FOR WHITNEY JONES:

Mr. Bacon,	Mr. Crane,	Mr. Pierce,	
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Beecher,
Calkins,
Childs,
Darius Clark,
Clyburn,

Crosman,
Ferry,
H. Hall,
Kimberly,
Marvin,

Truesdell,
Waite,
W. Warner,
Yocum,

17

FOR GEORGE W. PECK:

Mr. Barnes,

1

The President, in announcing the result, stated that he thanked his friends for the honor conferred by their vote, but that in his view of the provisions of the constitution he was not eligible to the office, and respectfully requested that his name be no further used in connection with the same.

On motion of Mr. Chandler,

The Convention then adjourned to meet at 7 o'clock, P. M.

The House was called to order by the Speaker, when,

On motion of Mr. Barnes,

The House adjourned.

Afternoon Session.

Two o'clock P. M.

The House was called to order by the Speaker.

The roll was called and the members present as in the morning, except Mr. Wheeler, who was excused on account of sickness.

On motion of Mr. Church,

Joint resolution relative to the interest account between the State of Michigan and certain counties thereof,

Was taken from the table, when

Mr. Britain offered a substitute therefor.

After considerable debate,

Mr. Church moved the previous question.

Which was demanded.

The question being, "Shall the main question be now put?" the same was agreed to.

The question being on the substitute of Mr. Britain, the same was not adopted by the following vote:

YEAS.

Mr. Barnes,
Britain,

Mr. J. B. Eaton,
L. Eaton,

Mr. Pierce,
Sexton,

Chandler,
Childs,
Corbin,
Corrigan,
Covert,
Darling,

Fowler,
Gray,
Hicks,
Hitchings,
Hubbell,
Patterson,

Shearer,
Shook,
Smith,
Stetson,
P. D. Warner,
Watkins, 24

NAYS.

Mr. Bacon,
Beecher,
Calkins,
D. L. Case,
S. M. Case,
Church,
Darius Clark,
David Clark,
Clyburn,
Crane,
Crosman,
Earl,

Mr. Ferry,
Fitch,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hyde,
Irvine,
Kimberly,
Martin,

Mr. Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Sherwood,
Truesdell,
Town,
Turner,
W. Warner,
Yocum.
Speaker, 34

The main question being on the adoption of the joint resolutions,
the same were adopted by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Beecher,
Calkins,
D. L. Case,
S. M. Case,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Crane,
Crosman,

Mr. Earl,
Ferry,
Fitch,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,

Mr. Marvin,
Minne,
Montgomery,
H. M. Moore,
Root,
Sexton,
Sherwood,
Truesdell,
Town,
Turner,
W. Warner,
Yocum,
Speaker, 39

NAYS.

Mr. Barnes,
Britain,
Chandler,
Corbin,
Corrigan,
Covert,
Darling,
J. B. Eaton,

Mr. L. Eaton,
Fowler,
Gray,
Hicks,
Hubbell,
Martin,
A. H. Moore,
Patterson,

Mr. Pierce,
Shearer,
Shook,
Smith,
Stetson,
Waite,
P. D. Warner,
Watkins, 24

Mr. Britain, by unanimous consent, introduced a joint resolution
to amend the constitution of Michigan.

Read twice and referred to the committee of the whole.

THIRD READING OF BILLS.

On motion of Mr. Truesdell,

The House took up the order of third reading of bills.

A bill to amend chapter 59 of the revised statutes of 1846, entitled of the State land office, and the officers connected therewith,

Was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Fitch,	Mr. H. M. Moore,
Britain,	Fowler,	Patterson,
D. L. Case,	Gregory,	Root,
S. M. Case,	Hart,	Sexton,
Chandler,	Hicks,	Shearer,
Childs,	Hitchings,	Sherwood,
Church,	Hubbell,	Shook,
David Clark,	Hyde,	Stetson,
Corrigan,	Irvine,	Truesdell,
Covert,	Lawrence,	Turner,
Crane,	Martin,	Waite,
J. B. Eaton,	Minne,	P. D. Warner,
L. Eaton,	Montgomery,	Watkins,
Ferry,	A. H. Moore,	Speaker, 42

NAYS.

Mr. Barnes,	Mr. Crosman,	Mr. Pierce,
Darius Clark,	Gray,	Town,
Clyburn,	H. Hall,	W. Warner,
Corbin,	Kimberly,	Yocum, 12

The House then ordered by a vote of two-thirds of all the members elected, that said act take effect immediately.

A bill to authorize the county of Shiawassee to loan money,

Was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. L. Eaton,	Mr. Montgomery,
Balcombe,	Ferry,	A. H. Moore,
Baldwin,	Fitch,	H. M. Moore,
Barnes,	Fowler,	Root,
Britain,	Gregory,	Sexton,
Chandler,	Gulley,	Shearer,
Childs,	H. Hall,	Sherwood,
Church,	Hart,	Shook,
Darius Clark,	Hicks,	Stetson,
David Clark,	Hitchings,	Turner,
Clyburn,	Hubbell,	Wait,
Corbin,	Hyde,	P. D. Warner,
Corrigan,	Irvine,	W. Warner,

Crane,
Crosmen,
Earl,
J. B. Eaton,

Kimberly,
Lawrence,
Minne,

Watkins,
Yocum,
Speaker,

49

NAYS

Mr. Calkins,
Covert,
Gray,
S. C. Hall,

Mr. Martin,
Marvin,
Patterson,

Mr. Pierce,
Truesdell,
Town,

19

A bill conferring additional powers on the judges of probate, and providing for the administration of the estates of deceased persons, was read a third time; and

On motion of Mr. Gray,
Ordered laid on the table.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to provide for auditing and paying the expenses of the constitutional Convention.

A bill supplemental to an act entitled an act to incorporate the St. Clair plank road company, approved April 2, 1849,

Was read the third time, and lost by the following vote, two-thirds of all the members elected not having voted therefor:

YEAS.

Mr. Bacon,
Barnes,
Beecher,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Corbin,
Corrigan,
Crane,
Crosmen,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Fitch,
Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Minne,
Montgomery,

Mr. H. M. Moore,
Patterson,
Root,
Shearer,
Shook,
Stetson,
Truesdell,
Town,
Turner,
Wait,
P. D. Warner,
Watkins,
Yocum,
Speaker,

43

NAYS

Mr. Britain,
Childs,
Covert,

Mr. Hicks,
Hitchings,
Hubbell,

Mr. Marvin,
A. H. Moore,
Pierce,

9

Mr. Irvine moved a reconsideration of the last vote.

Agreed to.

The bill was then passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain.
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Mr. Crosman,
Darling,
Earl,
J. B. Eaton,
L. Eaton,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Turner,
Wait,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker,

56

NAYS.

Mr. Gray,

Mr. Hitchings,

Mr. Pierce,

3

Mr. Irvine, by unanimous consent, from the committee on education, to whom was referred

A bill to establish an agricultural school,

Reported back a substitute therefor, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, the bill read a first and second time, and ordered laid on the table.

UNFINISHED BUSINESS.

A bill to vacate in part the village plat of Grandville, in Kent county, was,

On motion of Mr. P. D. Warner,

Indefinitely postponed.

A bill to amend an act entitled an act to incorporate the Detroit and St. Clair plank road company, being under consideration,

Mr. Hyde offered the following amendment thereto:

Sec. 1, line 5, after the word "the," insert "centre of."

Adopted.

The bill was then ordered engrossed for a third reading.

A bill authorizing certain improvements on the school section in the village of Lansing, being under consideration,

Mr. Hart moved to fill the blank therein with "3000."

Agreed to.

Mr. Britain then moved to strike out all after the enacting clause, and insert the following substitute:

Sec. 1. Whenever the Commissioner of the State Land Office shall receive a bond payable to the State Treasurer for such an amount and with such securities as shall be approved by said Commissioner, conditioned for the clearing off and seeding to herds grass in a good and workmanlike manner, within a time therein specified, all of the lots and lands situated on section sixteen in the township of Lansing, heretofore sold by the State and belonging to individuals, said Commissioner may enter into private contracts for the clearing and seeding with herds grass, in a good and workmanlike manner, within the time specified in said bond for the clearing and seeding of the lots of individuals, all of the lots unsold and belonging to the State; or he may contract for the improvement aforesaid with the lowest bidders, at an auction thereof held in pursuance of previous notice, published at least four weeks next preceding such auction, in the Michigan State Journal.

Sec. 2. The expense of said improvement shall be paid by the State Treasurer on the warrant of the Auditor General, out of any money in the treasury to the credit of the general fund, and shall be added to the present prices of the lots improved, and the treasury shall be reimbursed out of the first sales of said lots.

Sec. 3. Any person who may hereafter purchase from the State any of said lots, and erect, finish and paint a house thereon of the value of two hundred dollars, shall be entitled to a reduction of twenty per cent from the present appraised value of such lot.

Sec. 4. The Board of State Auditors shall constitute a board of appraisers, whose duty it shall be within six months from the completion of said improvement, to enter upon, examine and re-appraise all the lots held by the State in said section sixteen, and the prices by them affixed to said lots shall continue to be the prices of said lots until said lots shall be again re-appraised.

Sec. 5. This act shall take effect immediately.

Lost.

Mr. Irvine moved the previous question, which was demanded; when

Mr. Britain asked the unanimous consent of the House to offer the following amendment to the substitute:

Strike out "the expense of improvement shall be added to the present prices of said lots."

Objected to.

The question was then taken on the adoption of the substitute, and the same was not adopted.

The bill was then ordered engrossed for a third reading.

A bill to provide for the election of a district judge and regent of the university in the upper peninsula,

Was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. Ferry,	Mr. H. M. Moore,
Barnes,	Fitch,	Patterson,
Calkins,	Fowler,	Pierce,
D. L. Case,	Gray,	Root,
S. M. Case,	Gregory,	Sexton,
Chandler,	Gulley,	Shearer,
Childs,	H. Hall,	Sherwood,
Church,	Hart,	Shook,
Darius Clark,	Hicks,	Stetson,
David Clark,	Hitchings,	Truesdell,
Clyburn,	Hyde,	Town,
Corbin,	Irvine,	Turner,
Corrigan,	Kimberly,	Waite,
Covert,	Lawrence,	P. D. Warner,
Crane,	Martin,	W. Warner,
Darling,	Marvin,	Watkins,
Earl,	Minne,	Yocum,
J. B. Eaton,	Montgomery,	Speaker,
L. Eaton,	A. H. Moore,	

56

NAYS.

0

A bill to provide for notice of application for alterations and amendments of the charters of corporations, was,

On motion of Mr. Hyde,

Indefinitely postponed.

A bill to authorize the formation of corporations for mining, smelting or manufacturing iron, copper or silver ore,

Was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. H. M. Moore,	
Baldwin,	L. Eaton,	Patterson,	
Barnes,	Ferry,	Root,	
Beecher,	Fitch,	Sexton,	
Calkins,	Fowler,	Shearer,	
D. L. Case,	Gregory,	Sherwood,	
S. M. Case,	Hart,	Shook,	
Chandler,	Hicks,	Stetson,	
Childs,	Hitchings,	Truesdell,	
Church,	Hyde,	Town,	
Darius Clark,	Irvine,	Turner,	
David Clark,	Kimberly,	Waite,	
Clyburn,	Lawrence,	P. D. Warner,	
Corrigan,	Martin,	W. Warner,	
Crane,	Marvin,	Watkins,	
Croaman,	Minne,	Yocum,	
Darling,	Montgomery,	Speaker,	51
	NAYS.		0

The House then by a vote of two-thirds of all the members elected thereto, ordered that said act take immediate effect.

Mr. Britain moved a reconsideration of the vote by which was indefinitely postponed

A bill to provide for notice of application for alteration and amendment of the charters of corporations. Agreed to.

Mr. Hyde moved to lay on the table. Lost.

Mr. Hyde then moved to recommit to the judiciary committee. Lost.

Mr. Barnes moved the previous question.

Which was not demanded.

Mr. Irvine moved to recommit the same to committee on banks and incorporations.

Mr. Pierce moved to amend by adding: "and that they be instructed to report to-morrow morning." Agreed to.

A bill to amend section 22 of an act relative to plank roads, approved March 13, 1848, in reference to subscriptions of stock,

Was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. L. Eaton,	Mr. A. H. Moore,
Baldwin,	Ferry,	H. M. Moore,

Barnes,
Beecher,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corrigan,
Covert,
Crane,
Crosmen,
Earl,
J. B. Eaton,

Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker, 57

NAYS.

0

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act shall take immediate effect.

A bill prescribing the duties of the superintendent of public instruction, and to repeal chapter 56 of the revised statutes of 1846, and an act to amend said chapter 56, approved March 29, 1850,

Was read the third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Britain,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fowler,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker, 51

NAYS.

0

The House then, by the constitutional vote, ordered that said act should take effect immediately.

A bill to establish an agricultural school, was,

On motion of Mr. P. D. Warner,

Ordered laid on the table.

A bill to provide for the incorporation of railroad companies, was taken from the table, when

Mr. Hyde moved its indefinite postponement.

Lost, by the following vote:

YEAS.

Mr. Balcombe,
Barnes,
Beecher
S. M. Case,
Chandler,
Corbin,
Corrigan,
Covert,
Earl,

Mr. L. Eaton,
Fitch,
Fowler,
Gulley,
Hyde,
Martin,
Marvin,
H. M. Moore,

Mr. Sexton,
Shearer,
Shook,
Smith,
Town,
P. D. Warner,
W. Warner,
Yocum,

25

NAYS.

Mr. Bacon,
Baldwin,
Britain,
Calkins,
D. L. Case,
Childs,
Church,
David Clark,
Clyburn,
Crane,
Crosman,
J. B. Eaton,

Mr. Ferry,
Gray,
Gregory,
H. Hall,
Hart,
Hicks,
Hitchings,
Irvine,
Kimberly,
Lawrence,
Minne,
Montgomery,

Mr. A. H. Moore,
Patterson,
Pierce,
Root,
Sherwood,
Stetson,
Truesdell,
Turner,
Waite,
Watkins,
Speaker,

25

Mr. Church then moved to lay it on the table.

Agreed to, as follows:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Calkins,
D. L. Case,
Chandler,
Church,
Darius Clark,
Clyburn,
Corrigan,

Mr. Earl,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gulley,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,

Mr. H. M. Moore,
Pierce,
Sexton,
Shearer,
Shook,
Smith,
Stetson,
Truesdell,
Town,
W. Warner,
Yocum,

23

NAYS.

Mr. Baldwin,
Britain,
S. M. Case,
Childs,
Corbin,
Crane,
Crosman,
J. B. Eaton,
Gray,

Mr. Gregory,
H. Hall,
Hart,
Hicks,
Hitchings,
Kimberly,
Minne,
Montgomery,
A. H. Moore,

Mr. Patterson,
Root,
Sherwood,
Turner,
Waite,
P. D. Warner,
Watkins,
Speaker,

26

Mr. Hart asked the unanimous consent to introduce the following resolution:

Resolved, That the committee on mines and minerals to whom was referred the woodcock bill be requested to report the same to the House at 15 minutes past 5 o'clock instant.

Objected to.

A bill to facilitate the study of anatomy,

Was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Covert,
Crane,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gulley,
Hart,
Hitchings,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
P. D. Warner,
Yocum,
Speaker,

44

NAYS.

Mr. Darius Clark,
Corrigan,
Crosman,
Gregory,

Mr. H. Hall,
S. C. Hall,
Kimberly,
Pierce,

Mr. Root,
Truesdell,
Waite,
W. Warner,

12

Also, a bill supplemental to an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1848,

Was read the third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. Montgomery,
Baldwin,	L. Eaton,	A. H. Moore,
Barnes,	Ferry,	H. M. Moore,
Beecher,	Fitch,	Patterson,
Britain,	Fowler,	Pierce,
Butterfield,	Gray,	Root,
Calkins,	Gregory,	Sexton,
D. L. Case,	Gulley,	Shearer,
S. M. Case,	H. Hall,	Sherwood,
Chandler,	S. C. Hall,	Shook,
Childs,	Hart,	Smith,
Church,	Hitchings,	Truesdell,
Darius Clark,	Hubbell,	Town,
David Clark,	Hyde,	Turner,
Clyburn,	Irvine,	Waite,
Corbin,	Kimberly,	P. D. Warner,
Corrigan,	Lawrence,	W. Warner,
Covert,	Martin,	Yocum,
Crane,	Marvin,	Speaker,
Earl,	Minne,	
		59
	NAYS.	0

A bill ceding to the United States jurisdiction over a certain parcel of land at the mouth of Muskegon river,

On motion of Mr. Church,

Was indefinitely postponed.

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2, 1850;

A joint resolution authorizing the Auditor General to draw certain warrants in place of warrants which have been lost, upon proof of such loss,

Was then read a third time and passed by the following vote:

YEAS.

Mr. Balcombe,	Mr. J. B. Eaton,	Mr. A. H. Moore,
Baldwin,	L. Eaton,	H. M. Moore,
Barnes,	Ferry,	Patterson,
Beecher,	Fitch,	Pierce,
Butterfield,	Fowler,	Root,
D. L. Case,	Gulley,	Sexton,
S. M. Case,	H. Hall,	Shearer,
Chandler,	S. C. Hall,	Sherwood,

Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Croeman,
Earl,

Hart,
Hicks,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
P. D. Warner,
W. Warner,
Yocum,
Speaker,

58

NAYS.

0

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act take immediate effect.

A bill establishing police regulations for the preservation of property on the line of railroads, and for other purposes,

Was then taken up, when

Mr. Fitch offered the following amendment thereto:

Strike out sections 5 and 6 of the bill.

Adopted.

Mr. Truesdell offered the following amendment:

In line 7, section 1, strike out the word "double."

Lost.

Mr. Covert offered the following amendment:

Strike out in section 3, line 1, all after the word "weight," to the word "shall," in line 2.

Adopted.

The bill was then read the third time and lost by the following vote, two-thirds of all the members elected, not voting therefor:

YEAS.

Mr. Barnes,
Britain,
Butterfield,
Chandler,
Childs,
David Clark,
Corbin,
Corrigan,
Crane,
Darling,

Mr. J. B. Eaton,
Fitch,
H. Hall,
Hart,
Hicks,
Hitchings,
Kimberly,
Lawrence,
Minne,
Montgomery,

Mr. A. H. Moore,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Stetson,
Town,
Turner,

29

NAYS.

Mr. Beecher,
Calkins,

Mr. L. Eaton,
Ferry,

Mr. Martin,
Marvin,

D. L. Case,
S. M. Case,
Church,
Darius Clark,
Clyburn,
Covert,
Crosman,

Fowler,
Gregory,
Gulley.
S. C. Hall,
Hubbell,
Hyde,
Irvine,

Patterson,
Truesdell,
Waite,
P. D. Warner,
Yocum,
Speaker,

26

Mr. Gregory moved a reconsideration of the last vote.

Pending which,

On motion of Mr. P. D. Warner,

The bill was ordered laid on the table.

On motion of Mr. Church,

The House then took a recess until 7 o'clock this evening.

Evening Session.

7 o'clock P. M.

The House was called to order by the Speaker.

The roll was called, and a quorum present.

On motion of Mr. Hart,

A committee of two was ordered to be appointed to wait upon the Senate and inform them that the House were now ready to meet them in joint convention.

Messrs. Hart and Darius Clark were appointed such committee, who soon thereafter returned and reported that they had discharged the duty assigned them.

The honorable the Senate were then announced, and the Senators conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The convention was called to order by the President of the Senate.

A quorum of Senators and Representatives present.

The President then announced that the two Houses had met in joint convention pursuant to adjournment, for the purpose of electing a trustee of the Michigan asylum for the education of the deaf, dumb and blind and of the asylum for the insane, in the place of C. C. Harcall, whose term of office had expired.

The roll of the Senate was then called by the Secretary thereof, and the Senators severally rose in their places, and voted as follows:

FOR C. C. HASCALL:

Mr. Axford,	Mr. Christiancy,	Mr. Mead,	
Barber,	Danforth,	Riley,	
Beach,	Dort,	Roberts,	
Case,	Harvie,	Shoemaker,	12

FOR SAMUEL BARSTOW:

Mr. Dickey,	Mr. Isbell,	Mr. LeRoy,	3
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The roll of the House of Representatives was called by the Clerk thereof, and the members severally rose in their places, and voted as follows:

FOR C. C. HASCALL.

Mr. Bacon,	Mr. L. Eaton,	Mr. Minne,	
Barnes,	Fitch,	A. H. Moore,	
Britain,	Fowler,	H. M. Moore,	
Butterfield,	Gregory,	Sexton,	
D. L. Case,	S. C. Hall,	Shearer,	
S. M. Case,	Hart,	Sherwood,	
Chandler,	Hicks,	Smith,	
Church,	Hubbell,	Town,	
David Clark,	Hyde,	Turner,	
Corrigan,	Irvine,	Voorhies,	
Covert,	Lawrence,	P. D. Warner,	
J. B. Eaton,	Martin,	Speaker,	36

FOR SAMUEL BARSTOW.

Mr. Balcombe,	Mr. Crane,	Mr. Marvin,	
Baldwin,	Crosman,	Montgomery,	
Beecher,	Earl,	Root,	
Calkins,	Ferry,	Stetson,	
Darius Clark,	H. Hall,	Truesdell,	
Clyburn,	Kimberly,	Waite,	18

FOR JAMES SEYMOUR:

Mr. Corbin,			1
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The President announced that Charles C. Hascall having received a majority of all the votes, was declared duly elected a trustee of the Michigan Asylum for the education of the deaf, dumb and blind, and of the asylum for the insane.

On motion of Senator Harvie,

The secretaries of the Convention were instructed to inform Messrs. Farnsworth and Hascall of their election.

On motion of Senator Roberts,

The Joint Convention then adjourned without day.

O. W. MOORE,
Sec'y of the Senate,
 D. P. BUSHNELL,
Clerk of H. of R.

The House was called to order by the Speaker, who announced that the two Houses in joint convention had elected Elon Farnsworth and Charles C. Hascall, trustees for the Michigan Asylums for the education of the deaf, dumb and blind, and the asylum for the insane.

Mr. Root moved that the House adjourn.

Lost.

Mr. Church, by consent, reported back

A bill to authorize the supervisors of the county of Shia wassee to loan money to finish their court house, redeem their county orders, and subscribe for stock in the Corrunna and Saginaw plank road company, with a substitute therefor; also,

A bill to amend the charter of the village of Kalamazoo, and the acts amendatory thereto; also,

Joint resolution relative to the continuance of this session of the Legislature;

Recommended the concurrence of the House in the substitute, and asked to be discharged from the further consideration of said bills and joint resolution.

The report was accepted, the committee discharged, and the substitute to the first named concurred in; and the same was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Corrigan,

Mr. Crane,
Crosman,
Darling,
Earl,
Ferry,
Fowler,
Gregory,
Hart,
Hicks,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,

Mr. Martin,
A. H. Moore,
H. M. Moore,
Root,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Turner,
Waite.
Speaker,

41

NAYS.

Mr. Britain,
Calkins,
Clyburn,

Mr. L. Eaton,
Fitch,
H. Hall,

Mr. Marvin,
Montgomery,
Patterson,

Corbin,
Covert,
J. B. Eaton,

S. C. Hall,
Hubbell,

Sexton,
Voorhies,

16

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act shall take effect immediately.

The second named was read the third time and passed, as follows:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Candler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Mr. Crozman,
Darling,
Earl,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker, 57

NAYS.

The House then directed by a vote of two-thirds of all the members elected, that the said act shall take effect immediately.

The joint resolution was read a third time, and was indefinitely postponed.

The House then took up the order of

UNFINISHED BUSINESS.

A bill providing for the compensation of the judges of probate, Was taken up, and the several amendments reported back by committee of the whole, concurred in.

Mr. A. H. Moore offered the following amendment:

Strike out "two," in 10th line of section 2; strike out in same line, all after "dollars."

Agreed to.

On motion of Mr. Darling,

The bill was then ordered laid on the table.

Joint resolution relative to printing the revised constitution in the Dutch language, was taken up.

Mr. P. D. Warner offered the following amendment:

Insert after "Representatives," the words "of the State of Michigan."

Adopted.

On motion of Mr. Church,

The same was then read a third time and passed as follows:

YEAS

Mr. Bacon,	Mr. Covert,	Mr. Minne,
Balcombe,	Crane,	Montgomery,
Baldwin,	Crosman,	A. H. Moore,
Beecher,	Darling,	H. M. Moore,
Britain,	Earl,	Shearer,
Butterfield,	J. B. Eaton,	Sherwood,
Calkins,	Ferry,	Shook,
D. L. Case,	Pitch,	Smith,
S. M. Case,	Fowler,	Stetson,
Chandler,	H. Hall,	Truesdell,
Childs,	Hitchings,	Town,
Church,	Hubbell,	Turner,
Darius Clark,	Hyde,	Veorhies,
David Clark,	Irvine,	Waite,
Clyburn,	Martin,	P. D. Warner,
Corrigan,	Marvin,	Speaker, 42

NAYS

Mr. Barnes,	Mr. Hart,	Mr. Patterson,
Gregory,	Lawrence,	Root, 6

Joint resolution authorizing the commissioner of the State land office to sell certain normal school land in the county of Macomb, to A. Ashley,

Was read the third time and lost by the following vote, two-thirds of all the members elected not voting therefor:

YEAS,

Mr. Bacon,	Mr. Earl,	Mr. A. H. Moore,
Balcombe,	Ferry,	H. M. Moore,
Baldwin,	Fowler,	Sexton,
Barnes,	Gregory,	Shearer,
Beecher,	Hart,	Sherwood,
S. M. Case,	Hicks,	Shook,
Chandler,	Hitchings,	Smith,
Church,	Hyde,	Stetson,
Darius Clark,	Irvine,	Turner,

Corbin,
Crane,

Martin,
Minne,

Speaker,

32

NAYS.

Mr. Brittain,
Butterfield,
Childs,
Clyburn,
J. B. Eaton,
Fitch,
H. Hall,

Mr. S. C. Hall,
Hubbell,
Lawrence,
Marvin,
Montgomery,
Patterson,

Mr. Root,
Truesdell,
Town,
Voorhies,
Waite,
P. D. Warner,

19

Mr. Darius Clark moved that the House adjourn.

Lost.

A bill to provide for holding general and special elections, was taken up.

Mr. P. D. Warner offered the following amendments thereto:

Sec. 1, line 12, strike out "Senators," and insert "Senator."

Sec. 21, line 5, insert "of," between "and" and "each."

Sec. 21, line 7, strike out "at," and insert "of," as it first occurs.

Sec. 40, line 1, strike out "statement," and insert "statements," and strike out "such," and insert "each."

Sec. 41, lines 1 and 2, strike out "original," and insert "originals."

Sec. 49, line 11, insert after "senatorial," the words "or representative."

Sec. 50, line 4, strike out the last "of," and insert "person for Senator or Representative in each of."

Sec. 52, line 6, strike out "an election," and insert "in elections."

Sec. 58, line 1, strike out "amendments," and insert "amendment."

Sec. 68, line 5, strike out "to," as it last occurs.

Sec. 77, line 5, strike out "approval of any," and insert "such."

Sec. 78, line 3, strike out "approval of the," and insert "such."

Sec. 79, line 2, strike out "four," and insert "two."

Sec. 89, line 2, insert after "and," the words "Speaker of the."

Pending the question on which,

On motion of Mr. Hyde,

The bill and amendments were ordered laid on the table.

A bill supplementary to an act to incorporate the Grand Rapids and Plainfield plank road company, approved March 20, 1850,

Was then taken up, the amendments thereto made in committee of the whole concurred in, and the same read a third time and lost by the following vote, two-thirds of the members elected not voting for the same:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. H. M. Moore,
Barney,	Ferry,	Root,
Beecher,	Fitch,	Sexton,
Butterfield,	Fowler,	Shearer,
Calkins,	Gregory,	Sherwood,
D. L. Case,	Hitchings,	Shook,
Chandler,	Hyde,	Stetson,
Childs,	Irvine,	Truesdell,
Church,	Lawrence,	Town,
David Clark,	Martin,	Turner,
Clyburn,	Marvin,	Voorhies,
Crane,	Minne,	Waite,
Crosman,	Montgomery,	P. D. Warner,
Darling,	A. H. Moore,	Speaker,
Earl,		43

NAYS.

Mr. Britain,	Mr. S. C. Hall,	Mr. Patterson,	3
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Mr. Turner moved that the House adjourn.

Lost.

Mr. Root moved a call of the House.

Lost.

Mr. Truesdell moved that the House adjourn.

Lost.

Mr. Patterson moved a reconsideration of the vote by which was lost.

A bill supplementary to an act entitled an act to incorporate the Grand Rapids and Plainfield plank road company, approved March 20, 1850.

Agreed to.

Mr. D. L. Case then moved a reconsideration of the vote by which the House concurred in the amendment of the committee of the whole, which was as follows:

Amend by striking out the words "not exceeding ten per cent per annum," in line 6, section 1.

Agreed to.

The said amendment was then concurred in.

The bill was then passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Crane,	Mr. Montgomery,
Balcombe,	Crosman,	A. H. Moore,
Baldwin,	Darling,	H. M. Moore,
Barnes,	Earl,	Patterson,
Beecher,	J. B. Eaton,	Root,
Britton,	Ferry,	Sexton,
Butterfield,	Fitch,	Shearer,
Catkins,	Fowler,	Sherwood,
D. L. Case,	Gregory,	Shook,
S. M. Case,	H. Hall,	Smith,
Chandler,	Hart,	Stetson,
Conley,	Hitchings,	Truesdell,
Church,	Hubbell,	Town,
Darius Clark,	Hyde,	Turner,
David Clark,	Irvine,	Voorhies,
Clifton,	Lawrence,	Wait,
Corbin,	Martin,	P. D. Warner,
Corrigan,	Marvin,	Yocum,
Cover,	Minne,	Speaker, 57
	NAYS,	0

A bill to provide for holding general elections in the upper peninsula,

Was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Crosman,	Mr. H. M. Moore,
Balcombe,	Darling,	Patterson,
Baldwin,	J. B. Eaton,	Sexton,
Beecher,	Ferry,	Shearer,
Britton,	Fowler,	Sherwood,
Butterfield,	Gregory,	Shook,
D. L. Case,	Hart,	Smith,
S. M. Case,	Hitchings,	Stetson,
Chandler,	Hubbell,	Truesdell,
Conley,	Hyde,	Town,
Church,	Irvine,	Turner,
Darius Clark,	Lawrence,	Voorhies,
David Clark,	Martin,	Waite,
Clifton,	Minne,	P. D. Warner,
Corbin,	Montgomery,	Speaker, 47
Corrigan,	A. H. Moore,	
Cover,	NAYS,	
Crane,		
Mr. Baldwin,	Mr. Earl,	Mr. S. C. Hall, 3

A bill to amend sections 1, 2 and 3 of chapter 95 of the revised statutes of 1846,

Was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Crane,
Darling,
Earl,
J. B. Eaton,
Ferry,
Fowler,
Gregory,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,

Mr. Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker,

49

NAYS.

Mr. H. Hall,

Mr. Smith,

Mr. Truesdell,

3

A bill to repeal certain acts relative to elections, being under consideration, was,

On motion of Mr. Hubbell,

Ordered laid on the table.

A bill to provide for the completion of the canal and locks around the rapids of Grand river at Grand Rapids,

Being under consideration,

On motion of Mr. Montgomery,

It was ordered laid on the table.

A bill to change the name of John Atson Atwater, to John Atson Rosebrook,

Was read the third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Britain,
Beecher,

Mr. Crosman,
Earl,
J. B. Eaton,
Ferry,
Fitch,
Fowler,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,

Butterfield,
Calkins,
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Corbin,
Corrigan,
Covert,
Crane,

Gregory,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,
Minne,

Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
P. D. Warner,
Speaker,

53

NAYS.

Mr. Darling,

1

A bill to repeal chapter 36 of title 8 of the revised statutes of 1846, relative to medical societies,

Was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Clyburn,
Corrigan,
Covert,
Crane,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,

Mr. Lawrence,
Minne,
Montgomery,
H. M. Moore,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Town,
Turner,
Speaker,

37

NAYS.

Mr. Calkins,
Darius Clark,
Crosman,
Darling,
H. Hall,

Mr. S. C. Hall,
Martin,
Marvin,
Root,
Sexton,

Mr. Stetson,
Voorhies,
Waite,
P. D. Warner,

14

Mr. Beecher moved to adjourn.

Lost.

A bill supplemental to an act incorporating and the acts amending the Detroit, Romeo and Port Huron Railroad Company, being under consideration, the pending question on which being on the adoption of the substitute reported back by the committee of the whole,

Mr. Chandler moved that it be laid on the table and printed.

Lost.

Mr. Chandler then offered the following thereto:

Provided, Said road shall pass through the villages of Utica and Romeo in the county of Macomb, to the village of Port Huron in the county of St. Clair.

Pending the question on which,

Mr. Corbin moved the indefinite postponement of the whole subject.

Lost.

The question then recurring on the amendment of Mr. Chandler the same was not adopted.

Mr. Hyde then offered the following amendment:

Insert in line 8, section 1, after the word "railroad," the following: "between the city of Detroit and Royal Oak in the county of Oakland." Lost.

The substitute was then adopted.

Mr. Butterfield then moved to lay it on the table.

Lost.

On motion of Mr. Hart,

The substitute was ordered engrossed for a third reading.

Mr. Beecher moved that the House adjourn.

Lost.

A bill supplementary to an act entitled an act to incorporate the Walker and Vergennes plank road company, approved April 1, 1850,

Was taken up.

The question then being on concurring in the amendments made in committee of the whole, the same was non-concurred in.

The bill was then read a third time, and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Butterfield,
D. L. Case,
S. M. Case,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,

Chandler,
Childs,
Church,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,

Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,

Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Wait,
P. D. Warner,
Speaker,

46

NAYS

v

Mr. Fitch moved that the House adjourn.

Lost.

Mr. Waite, by unanimous consent, introduced the following resolution:

Resolved, That the committee on mines and minerals be instructed to report forthwith the woodcock bill.

Ordered laid on the table.

A bill to cede jurisdiction to the United States on land to be occupied as a site of light house buildings in this State,

Was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnea,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Corbin,
Corrigan,
Covert,

Mr. Crane,
Crosman,
J. B. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Marvin,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Waite,
P. D. Warner,
Watkins,
Speaker,

51

NAYS

0

Joint resolution relative to granting of land to actual settlers was

On motion of Mr. Beecher,

Ordered laid on the table.

Mr. Fowler moved that the House adjourn.

Lost.

Mr. Beecher moved a reconsideration of the vote by which the joint resolution relative to granting land to actual settlers, was laid on the table.

Lost.

A bill to provide for the appraisal and to reduce the minimum price of university lands,

Was taken up.

The question being on the motion of Mr. Fitch, to indefinitely postpone, the same was not agreed to, by the following vote:

YEAS.

Mr. Bacon,
Calkins,
Croaman,

Mr. Fitch,
Irvine,
Martin,

Mr. Marvin,
Sexton,
Truesdell, 9

NAYS.

Mr. Barnea,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
Corbin,
Covert,

Mr. Darling,
J. B. Eaton,
Ferry,
Fowler,
Gregory,
Hitchings,
Hyde,
Kimberly,
Lawrence,
Montgomery,
A. H. Moore,

Mr. Patterson,
Root,
Sherwood,
Shook,
Smith,
Stetson,
Turner,
Waite,
P. D. Warner,
Speaker, 32

Mr. Butterfield then moved to lay on the table.

Lost.

Mr. S. M. Case moved that the House adjourn.

Lost.

Mr. Fitch then offered the following amendment:

Strike out all of the bill after the word "price," in 3d line of section 1.

Mr. Truesdell moved that the House adjourn.

Lost.

Mr. Barnes moved a call of the House.

Lost.

Mr. Truesdell moved to adjourn.

Lost.

The question then recurring on the amendment of Mr. Fitch,

Mr. Hubbell moved the previous question.

Mr. Barnes moved that the House adjourn.

Lost

The question then recurring on the amendment of Mr. Fitch, and the same was adopted by the following vote:

YEAS.

Mr. Bacon,	Mr. Covert,	Mr. Montgomery,
Barnes,	Crane,	A. H. Moore,
Britain,	Ferry,	H. M. Moore,
Butterfield,	Fitch,	Root,
Calkins,	Gregory,	Sexton,
D. La Case,	Hitchings,	Shearer,
S. M. Case,	Hubbell,	Sherwood,
Chandler,	Hyde,	Truesdell,
Childs,	Irvine,	Waite,
Church,	Kimberly,	P. D. Warner,
David Clark,	Martin,	Speaker,
Corrigan,	Minne,	

35

NAYS.

Mr. Baldwin,	Mr. Marvin,	Mr. Stetson,
Darius Clark,	Shook,	Turner,

6

The question then being on its engrossment for a third reading,

Pending which,

On motion of Mr. Truesdell,

The House adjourned.

Lansing, Friday, April 4, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Chatfield.

The roll was called and the members answered to their names, except those excused on account of sickness.

The reading of the journal of yesterday was postponed until to-morrow.

PRESENTATION OF PETITIONS.

Mr. Clyburn presented the petitions of M. T. Garvey and 26 others, democrats and whigs, and of H. C. Lybrook and 30 others, democrats and whigs, all of Cass county, against the passage of any law requiring the Auditor General to give the tax printing to the Nation

al Democrat of that county, and against the passage of any law for party purposes.

Referred to the committee of ways and means.

REPORTS.

Mr. D. L. Case, from the committee on banks and incorporations, to which was referred

A bill to provide for notice to be given by corporations of application for alterations and amendments of their charters,

Reported the same back without amendment, recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and,

On motion of Mr. Darling,

The bill was ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Balcombe,	Mr. Fowler,	Mr. A. H. Moore,
Barnes,	Gray,	H. M. Moore,
Butterfield,	Gregory,	Patterson,
D. L. Case,	Gullev,	Sexton,
Chandler,	H. Hall,	Shearer,
David Clark,	S. C. Hall,	Smith,
Clyburn,	Hart,	Stetson,
Corrigan,	Hicks,	Truesdell,
Covert,	Hitchings,	Town,
Darling,	Hubbell,	Voorhies,
Earl,	Lawrence,	P. D. Warner,
J. B. Eaton,	Martin,	Watkins,
Ferry,	Montgomery,	Yocum,
Fitch,		40

NAYS.

Mr. Bacon,	Mr. Crane,	Mr. Turner,
Baldwin,	Hyde,	Waite,
Calkins,	Irvine,	Wheeler,
S. M. Case,	Root,	Speaker,
Childs,		14

Mr. Hyde, from the committee on State affairs, to whom was referred

A bill to divide the State into Congressional districts,

Reported the same back without amendment, recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Hart, from the committee on Federal Relations, submitted the following report:

The committee on Federal Relations, to whom was referred sundry petitions in reference to the law known as the fugitive slave law, have had the same under consideration, and have instructed me to report:

That but a few months have elapsed since there existed a state of things in our Federal Union, before unknown in its history. Certain measures had been pending before the Congress of the United States, among which, this fugitive slave question was one for seven months, and yet brought to no result. The subject pending had paralyzed all the operations of government; displaced the regular proceedings of the two Houses of Congress; and at the end of seven months of a session, the ordinary annual appropriation bills had not been passed. Such an occurrence had never before existed in this government.

The measures alluded to were embraced in what was denominated the Compromise or Omnibus bill, and particularized as follows: "The California question, the question of territories, the question of the boundary of Texas, the Slave trade in the District of Columbia, and the Fugitive Slave bill." The agitation of these subjects increased from day to day, until the wisest patriots became alarmed for the safety of our beloved country. The cry of dissolution was heard from one end of the Union to the other. The American people watched this agitation with a deep anxiety, and not being able to foresee its consequences, finally, in an almost united voice, commanded their servants to compromise, that concord and harmony might again be restored, and the Union be preserved for all the high and noble purposes for which our fathers formed it. The compromise was finally effected; the five wounds that had so long baffled the skill of

the wisest and most eminent physicians of the nation, were finally healed. There was a general rejoicing throughout the length and breadth of the land; all seemed to speak out, "the Union is now safe." Our long cherished principle, that man is capable of self-government, was re-affirmed.

Your petitioners pray a repeal of the fugitive slave law—one of the compromise measures. Your committee are of opinion that your petitioners have honestly yielded to the gross misrepresentations of this law; but upon taking "the sober second thought," will agree with your committee that the law is constitutional—that the law does not abolish the right of trial by jury—that it does not suspend the writ of habeas corpus—that, in short, it does not take away any right secured to the slave under the law of 1793; but on the contrary is really in his favor, inasmuch as, by the law of 1793, the claimant was authorized to arrest and seize his fugitive slave by force and without process, while the law of 1850, authorizes legal proceedings in the first instance—that the law of 1850 only gives the owner of the fugitive slave an appointed and peaceable remedy.

Your committee cannot be induced to believe but that your petitioners estimate the Union of the States of inestimable value to the people of America, and to the cause of liberty throughout the world. That upon a little reflection they will say with your committee, that the advice of the immortal Washington in his farewell address to the people of the United States, to avoid sectional divisions and animosities, and to frown indignantly upon every attempt to alienate one section of the country from another, is deserving of profound respect and veneration from all patriotic citizens, and that no existing circumstances will warrant our disregard of that advice.

Entertaining these views, your committee have instructed me to report adverse to the prayer of your petitioners, and that any legislation on the subject is unnecessary and inexpedient.

NOAH H. HART, Ch'n.

And the question being on the acceptance of the report,

The same was accepted by the following vote:

YEAS:

Mr. Bacon,
Britain,
Butterfield,

Mr. Fowler,
Gregory,
Gulley,

Mr. H. M. Moore,
Patterson,
Sexton,

D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Corbin,
Corrigan,
Covert,
J. B. Eaton,
L. Eaton,
Fitch,

S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Minne,
A. H. Moore,

Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Wheeler,
Speaker,

42

NAYS.

Mr. Balcombe,
Baldwin,
Barnes,
Beecher,
Calkins,
Childs,
Darius Clark,
Clyburn,

Mr. Crane,
Crosman,
Darling,
Earl,
Ferry,
Gray,
H. Hall,
Kimberly,

Mr. Marvin,
Montgomery,
Root,
Stetson,
Truesdell,
Wait,
W. Warner,
Yocum,

24

The report was then adopted by the following vote:

YEAS.

Mr. Bacon,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Corbin,
Corrigan,
Covert,
J. B. Eaton,
L. Eaton,
Fitch,

Mr. Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Minne,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Wheeler,
Speaker,

42

NAYS.

Mr. Balcombe,
Barnes,
Beecher,
Calkins,
Childs,
Darius Clark,
Crane,
Crosman,

Mr. Darling,
Earl,
Ferry,
Gray,
H. Hall,
Kimberly,
Marvin,

Mr. Montgomery,
Root,
Stetson,
Truesdell,
Waite,
W. Warner,
Yocum,

22

On motion of Mr. Turner,

The report was ordered laid on the table, and 1,500 copies ordered printed.

Mr. Britain, from the committee of ways and means, submitted the following report:

The committee of ways and means, to whom was referred

A bill from the Senate to provide for a State board of equalization,

Have permitted me to report the same with the following amendments, and ask to be discharged from its further consideration:

Section 1, line 2, strike out "Lieutenant Governor."

Section 10, strike out all after line 1.

Same committee to whom was referred a bill from the Senate to provide for the indebtedness of the State,

Have permitted me to report the same back without amendment, recommend its passage and ask to be discharged from its further consideration.

Same committee, to whom was referred joint resolution from the Senate relative to costs of proceeding for the investigation of charges against J. R. Baker,

Have permitted me to report the same, recommend its passage and ask to be discharged from its further consideration.

Same committee have permitted me to report the following bill and recommend its passage:

A bill to provide for the collection of taxes assessed upon sold and part paid for university, primary school, state building, salt spring, asylum and normal school lands.

C. BRITAIN, Ch'n.

The report was accepted, the committee discharged, the several bills referred to committee of the whole and placed on the general order.

On motion of Mr. Fitch,

The joint resolution was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Britain,
Butterfield,
Church,

Mr. Gray,
Gregory,
Gulley,
S. C. Hall,
Hart,

Mr. H. M. Moore,
Patterson,
Root,
Shearer,
Sherwood,

Darius Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Darling,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,

Hicks,
Hitchings,
Hyde,
Irvine,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,

Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Yocum,
Speaker,

43

NAYS.

Mr. Baldwin,
Beecher,

Mr. Childs,
H. Hall,

Mr. Wheeler,

5

The House then ordered by a vote of two-thirds of all the members elected, that it take effect immediately.

On motion of Mr. Truesdell,

The rule was suspended, and the bill to provide for collection of taxes on assessed and part-paid for university and primary school, State building, salt spring, asylum and normal school lands, was ordered to a third reading, was so read and passed, by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Britain,
Butterfield,
S. M. Case,
Chandler,
Childs,
Church,
Corbin,
Covert,
Crane,
Crosman,
Darling,
Ferry,

Fitch,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Irvine,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,
Root,

Mr. Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

40

NAYS.

Mr. Darius Clark,

Mr. Clyburn,

Mr. Patterson,

3

Mr. Hubbell, from the committee on enrollment and engrossment reported as correctly enrolled, signed and this day presented to the Governor for approval,

An act to authorize the incorporation of bridge companies;

An act authorizing the board of State Auditors to examine and settle the claim of Enos Daly;

An act to establish the township line between the townships of Clinton and Harrison in the county of Macomb;

An act to authorize the re-apportionment of certain primary school interest moneys in the county of Branch;

An act to amend chapter 60, title 12 of the revised statutes;

An act to amend sections one and two of an act entitled an act to incorporate the Pioneer smelting company of the Upper Peninsula of Michigan, approved March 10, 1847;

An act to authorize and direct the Secretary of State to execute by deed, a conveyance of a certain tract of land to Robert B. McKay;

An act to regulate proceedings in attachment against foreign corporations in certain cases.

Mr. Bacon, from the committee on mines and minerals, to whom, was referred

A bill to amend the second section of an act entitled an act to incorporate the Eagle Harbor mining company, approved March 27, 1848; and

A bill to perfect the organization of the county of Marquette, in the upper peninsula, and to attach the county of Schoolcraft thereto for judicial purposes,

Reported the same back without amendment, recommended their passage and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, and

On motion of Mr. Hyde,

The bills severally read the third time and passed, the first named by the following vote:

YEAS.

Mr. Bacon,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,

Mr. Earl,
L. Eaton,
Ferry,
Fitch,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hyde,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Sexton,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,

Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,
Darling,

Irvine,
Kimberly,
Lawrence,
Martin,
Minne,

Wait,
P. D. Warner,
Watkins,
Wheeler,
Speaker,

49

NAYS.

Mr. Balcombe,
Baldwin,

Mr. H. Hall,
Hubbell,

Mr. Patterson,

5

And the second named as follows:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Candler,
Childs,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Crosman,
Darling,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. Marvin,
Minne,
A. H. Moore,
H. M. Moore,
Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,

55

NAYS.

0

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said last named act shall take immediate effect.

Mr. Church, from the committee on the judiciary, to which was referred

A bill to prohibit the maintaining of suits in equity by judgment creditor's bill, to provide a remedy at law in lieu thereof, and to repeal sections 24 and 25 of chapter 90, of the revised statutes of 1846;

A bill relating to depositions of witnesses; and

A bill to amend section one hundred and thirty-one of chapter ninety-three of the revised statutes of eighteen hundred and forty-six, in reference to actions of replevin before justices of the peace;

Reported the same back without amendment, recommended their passage, and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, and

On motion of Mr. Church,

The bills severally ordered laid on the table.

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House of Representatives,

1. A bill to provide the manner of applying for pardons;
2. A bill to amend sections 68 and 74 of an act to consolidate the laws in relation to county courts, and for other purposes, approved, April 2, 1849, and to provide for the removal of causes from said county courts to the circuit courts,

Which the Senate have passed, and by a vote of two-thirds of all elect ordered the last named to take effect immediately, and in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,
Secretary Senate.

Said bills were severally twice read, and referred to the judiciary committee.

Also the following message from the Senate:

SENATE CHAMBER, }
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

1. A bill to authorize plank road companies to borrow money;
2. A bill to amend an act entitled an act to incorporate the Port Huron and Lake Michigan Railroad Company;

And to inform the House that the Senate have non-concurred in the first named, and concurred in the last named with amendments, in which the concurrence of the House is respectfully asked.

Very Respectfully,

O. W. MOORE,
Secretary of the Senate.

The first named was ordered laid on the table.

The amendments to the second named were concurred in, and the bill as amended ordered enrolled.

Also the following communication:

SENATE CHAMBER,
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

Sir—I am instructed to transmit herewith,

A bill to amend section 1 of chapter 93 of the revised statutes of 1846, conferring jurisdiction upon justices of the peace; also

Joint resolution relative to the distribution of the session laws, journals and documents of the Legislature for 1851,

Which the Senate have passed, and in which the concurrence of the House of Representatives is desired.

Respectfully,

O. W. MOORE,

Sec'y of Senate

The first named was twice read and referred to the judiciary committee.

On motion of Mr. Hubbell,

The joint resolution was ordered to a third reading, and the same having been twice, was read a third time, and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Gorrigan,
Covart,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,

Mr. Minne,
Montgomery,
A. H. Moore,
Patterson
Root,
Shearer
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,

Crane, Crosman,	Martin, Marvin,	Yocum, Speaker,	57
NAYS.			

Mr. Sexton,	1
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MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Crosman moved to take from the table House bill 127, to divide the State into Senate districts.

Lost.

Mr. Darling moved to discharge the committee of the whole from the bill prohibiting the sale of ardent spirits or malt liquors under a given quantity.

Agreed to by the following vote:

YEAS.

Mr. Balcombe, Baldwin, Beecher, Calkins, Chandler, Childs, Darius Clark, David Clark, Clyburn, Corbin, Crane, Crosman,	Mr. Darling, L. Eaton, Ferry, Fowler, Gray, Gulley, H. Hall, Hitchings, Hubbell, Lawrence, Marvin, Minne,	Mr. Montgomery, A. H. Moore, Sherwood, Shook, Truesdell, Town, Waite, P. D. Warner, W. Warner, Watkins, Wheeler, Yocum,	36
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NAYS.

Mr. Bacon, Barnes, Britain, Butterfield, S. M. Case, Church, Covert, J. B. Eaton,	Mr. Fitch, Gregory, S. C. Hall, Hart, Hyde, Irvine, Martin, Patterson,	Mr. Root, Sexton, Shearer, Smith, Stetson, Turner, Voorhies, Speaker,	24
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Mr. Darling then offered a substitute therefor.

Pending which,

Mr. Hart moved the indefinite postponement of the whole subject.

Lost, as follows:

YEAS.

Mr. Barnes, Butterfield,	Mr. S. C. Hall, Hart,	Mr. Smith, Turner,
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Corrigan,
Covert,

Martin,
Patterson,

Voorhies,
Speaker,

12

NAYS.

Mr. Bacon,
Baldwin,
Beecher,
Britain,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Crane,
Crosman,
Darling,

Mr. Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
Hicks,
Hubbell,
Hyde,
Kimberly,
Lawrence,
Marvin,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

51

On motion of Mr. Hyde,

The bill was then made the special order of the day for this evening, at 7 o'clock.

On motion of Mr. Hart,

A bill to amend section 110, title 5, chapter 20, of the revised statutes of 1846,

Was taken from the table.

And the question being on ordering it engrossed for a third reading, the House refused to so order it.

Mr. Balcombe offered the following preamble and resolutions:

Whereas, The people of Michigan, at their last congressional election passed a sentence of condemnation upon the fugitive slave law, and this emphatic expression of the popular will was made but a few months ago, and on the same day upon which we were elected, and by the same people who elected us to the seats we hold in this House, and the same people have from time to time reminded us of their decision, by petitions praying this Legislature to instruct our Senators and request our Representatives in Congress to endeavor to procure the repeal or modification of said law;

And whereas, Said petitions have been by this House referred to the committee on federal relations, and said committee has, notwith-

standing these expressions of the popular will, reported adverse to the prayer of said petitioners; therefore

Resolved, That said report be recommitted to said committee, and that said committee is hereby instructed to report forthwith in favor of the prayer of said petitions.

Mr. J. B. Eaton moved to lay on the table.

Agreed to, by the following vote:

YEAS.

Mr. Barnes,
Britain,
Butterfield,
D. L. Case,
Chandler,
Church,
Corbin,
Corrigan,
Covert,
J. B. Eaton,
L. Eaton,
Fitch,
Fowler,

Mr. Gregory,
Gulley,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Speaker,

37

NAYS.

Mr. Balcombe,
Baldwin,
Beecher,
Calkins,
Childs,
Darius Clark,
Clyburn,
Crane,

Mr. Crosman,
Earl,
Ferry,
Gray,
H. Hall,
Hicks,
Kimberly,
Marvin,

Mr. Montgomery,
Root,
Stetson,
Truesdell,
Waite,
W. Warner,
Wheeler,
Yocum,

24

On motion of Mr. Church,

The bill to provide for the completion of the canal and locks around the rapids of Grand River at Grand Rapids, was taken from the table.

Mr. Church then moved to strike out the second section eight therein twice printed.

Agreed to.

Mr. Church then moved to fill the blank therein with "five dollars."

Mr. J. B. Eaton moved to fill with "eight dollars."

Lost

The question was then taken on filling with "five dollars," and agreed to.

Mr. Shearer then offered the following amendment:

Insert in sec. 6, line 6, after "ascertain," "and determine in proportion to the amount of fall above said dam."

Lost.

Mr. H. M. Moore offered the following:

In line 10, section 11, insert after "thereby," "and also the right of way for the said canal."

Adopted.

Mr. Patterson offered the following to stand as section 16:

Sec. 16. No expenses authorized to be incurred by the provisions of this act, shall ever be chargeable upon the treasury of this State.

Adopted.

Mr. Britain then offered the following:

Line 7, after "acres," insert "as shown upon the books of the State land office."

Lost.

The bill was then read the third time and passed by the following vote:

YEAS

Mr. Balcombe,	Mr. Earl,	Mr. Marvin,
Barnes,	J. B. Eaton,	Minne,
Beecher,	Ferry,	Montgomery,
Britain,	Fitch,	H. M. Moore,
Calkins,	Fowler,	Root,
D. L. Case,	Gray,	Sexton,
S. M. Case,	Gregory,	Shearer,
Chandler,	Gulley,	Sherwood,
Childs,	H. Hall,	Smith,
Church,	Hicks,	Stetson,
Darius Clark,	Hitchings,	Truesdell,
David Clark,	Hubbell,	Town,
Clyburn,	Hyde,	Turner,
Corbin,	Irvine,	Waite,
Corrigan,	Kimberly,	P. D. Warner,
Covert,	Lawrence,	W. Warner,
Crane,	Martin,	Speaker, 51

NAYS.

Mr. Baldwin,	Mr. Butterfield,	Mr. Patterson,	3
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The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act shall take effect immediately.

Mr. Chandler moved a reconsideration of the vote by which a bill supplementary to an act incorporating and the acts amending the Detroit, Romeo and Port Huron rail road company, was ordered engrossed for a third reading.

Agreed to.

Mr. Chandler then moved a reconsideration of the vote by which the House rejected the amendment offered yesterday thereto by Mr. Hyde.

Agreed to.

Mr. Chandler then offered the following amendment, to come in at the end of section 1:

"Provided said railroad shall start from some point in or near the city of Detroit, or from some point between the city of Detroit and the village of Royal Oak, in the county of Oakland, and pass through the villages of Utica and Romeo, in the county of Macomb, to the village of Port Huron, in the county of St. Clair."

Adopted.

The bill was then ordered to be read the third time, was so read and passed, by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Barnes,
Brittain,
Butterfield,
Calkins,
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Cresman,

Mr. Darling,
Earl,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,

Mr. Martin,
Minne,
Montgomery,
H. M. Moore,
Patterson,
Root,
Shearer,
Sherwood,
Stetson,
Truesdell,
Turner,
Voerhies,
Waite,
P. D. Warner,
W. Warner,
Yocum,
Speaker,

53

NAYS.

Mr. H. Hall,

1

On motion of Mr. Hyde,

The House then took a recess until 2 o'clock, P. M.

Afternoon Session.

2 o'clock.

The House was called to order by the Speaker.

Roll called. A quorum present.

By unanimous consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER, }
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House of Representatives

A bill to repeal section 26 of chapter 38, and sections 1, 2, 3, 4, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28 and 29 of chapter 41 of the revised statutes of 1846, and the acts amendatory thereof,

And to respectfully inform you that the Senate have concurred therein with amendments, in which the concurrence of the House is respectfully asked.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of Senate

The bill was referred to the committee on education.

Also the following:

SENATE CHAMBER, }
Lansing, April 3, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit herewith,

Joint resolution to refer to the decision of the Supreme court certain matters in controversy between the State and the Michigan Southern railroad company,

Which the Senate have passed by a vote of two-thirds of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of the Senate

The joint resolution was read a first and second time and referred to the judiciary committee.

Mr. Fitch moved to take from the table the motion to reconsider the vote by which was indefinitely postponed

A bill establishing police regulations for the preservation of property on the line of railroads, and for other purposes.

Pending the question on which,

On motion of Mr. Hubbell,

The whole subject was indefinitely postponed.

Mr. Hyde moved to take from the table,

A bill to amend an act to incorporate the Lansing Coal company, approved March 28, 1849.

Lost.

Mr. Smith moved to take from the table,

A bill to apportion anew the Representatives among the several counties and districts of the State.

Agreed to by the following vote:

YEAS.

Mr. Baldwin,
Barnes,
Britain,
Calkins,
Childs,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Earl,

Mr. J. B. Eaton,
Ferry,
Fitch,
Gray,
Gregory,
H. Hall,
Hitchings,
Hubbell,
Lawrence,
Marvin,
Montgomery,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Shook,
Smith,
Truesdell,
Town,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker, 36

NAYS.

Mr. Bacon,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Darius Clark,
David Clark,
L. Eaton,

Mr. Fowler,
S. C. Hall,
Hart,
Hicks,
Hyde,
Irvine,
Kimberly,
Martin,
Minne,

Mr. Root,
Sexton,
Shearer,
Sherwood,
Stetson,
Turner,
Voorhies,
P. D. Warner, 26

Mr. Hart moved to indefinitely postpone the same.

Which was not agreed to, by the following vote:

YEAS.

Mr. Bacon,
Balcomba,
Britain,
D. L. Case,
S. M. Case,

Mr. Darius Clark,
David Clark,
L. Eaton,
Fowler,
S. C. Hall,

Mr. Hart,
Irvine,
Kimberly,
Turner,
Waite, 15

NAYS

Mr. Baldwin,	Mr. J. B. Eaton,	Mr. Pierce,
Barnes,	Ferry,	Sexton,
Butterfield,	Fitch,	Shearer,
Calkins,	Gray,	Sherwood,
Chandler,	Gregory,	Shook,
Childs,	H. Hall,	Smith,
Church,	Hitchings,	Truesdell,
Clyburn,	Hubbell,	Town,
Corbin,	Hyde,	Voorhies,
Corrigan,	Lawrence,	P. D. Warner,
Covert,	Martin,	W. Warner,
Crane,	Marvin,	Watkins,
Croaman,	Montgomery,	Wheeler,
Darling,	H. M. Moore,	Yocum,
Karl,	Patterson,	

44

On motion of Mr. Hart,

The bill was ordered laid on the table.

Mr. Irvine, from the committee on education, to whom was referred,

A bill to amend chapter 58 of the revised statutes of 1846, relative to primary schools,

Reported the same back, recommended that the House concur in the Senate amendments, and asked to be discharged.

The report was accepted and the committee discharged.

The Senate amendments were concurred in, and the bill as amended ordered enrolled.

Mr. Britain, from the committee of ways and means, reported back,

A bill to amend chapter 12 of the revised statutes of 1846,

Recommended its passage and asked to be discharged.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

On motion of Mr. Britain,

The bill to provide for the payment of the indebtedness of the State,

Was taken from the table and referred to the committee of the whole and placed on the general order.

Mr. Irvine moved to take from the table,

A bill providing for the compensation of judges of probate.

Lost.

THIRD READING OF BILLS.

A bill to repeal sections 2 and 3 of chapter 172 of the revised statutes of 1846, and to provide for the appointment of three inspectors of the state prison, and to prohibit the teaching of certain mechanical trades to convicts therein.

Was read a third time and lost by the following vote, a majority of all the members elected not having voted therefor:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. Hitchings,
Barnes,	J. B. Eaton,	Kimberly,
D. L. Case,	L. Eaton,	Minne,
Church,	Ferry,	Sherwood,
David Clark,	Gregory,	Shook,
Corrigan,	S. C. Hall,	Turner,
Crane,	Hart,	Speaker,
		21

NAYS.

Mr. Balcombe,	Mr. Hicks,	Mr. Sexton,
Baldwin,	Hubbell,	Shearer,
Childs,	Hyde,	Stetson,
Clyburn,	Lawrence,	Truesdell,
Corbin,	Martin,	Town,
Covert,	Marvin,	Voorhies,
Crosman,	Montgomery,	P. D. Warner,
Darling,	A. H. Moore,	W. Warner,
Fitch,	Patterson,	Wheeler,
Gray,	Pierce,	Yocum,
H. Hall,		31

A bill to amend an act entitled an act to incorporate the Detroit and St. Clair plank road company,

Was read a third time and passed, by the following vote:

YEAS

Mr. Bacon,	Mr. Darling,	Mr. A. H. Moore,
Balcombe,	J. B. Eaton,	Patterson,
Baldwin,	L. Eaton,	Root,
Barnes,	Ferry,	Sexton,
Beecher,	Fitch,	Shearer,
Britain,	Fowler,	Sherwood,
Butterfield,	Gray,	Shook,
S. M. Case,	Gregory,	Stetson,
Chandler,	Gulley,	Truesdell,
Childs,	S. C. Hall,	Town,
Church,	Hart,	Turner,

Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,

Hitchings,
Hubbell,
Hyde,
Kimberly,
Martin,
Marvin,
Minne,
Montgomery,

Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker, 57

NAYS.

Mr. Calkins,

Mr. H. Hall,

Mr. Pierce,

3

A bill authorizing certain improvements on the school section in the village of Lansing,

Was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Childs,
David Clark,
Clyburn,
Covert,
Crosman,
Darling,
L. Eaton,
Ferry,

Fitch,
Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Lawrence,
Martin,
Montgomery,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Root,
Shearer,
Sherwood,
Smith,
Stetson,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Wheeler,
Speaker,

41

NAYS.

Mr. Barnes,
Corbin,
Crane,
Earl,
J. B. Eaton,
Gray,

Mr. H. Hall,
Kimberly,
Marvin,
Pierce,
Sexton.

Mr. Truesdell,
Town,
Waite,
W. Warner,
Yocum,

16

By unanimous consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER, }
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return herewith,

A bill to provide for the election of a district judge and regent of the university in the upper peninsula; and

A bill to provide for holding general elections in the upper peninsula;

In both of which the Senate have this day concurred.

Very respectfully,

O. W. MOORE,

Sec'y of Senate.

The bills were severally ordered enrolled.

UNFINISHED BUSINESS.

The House then took up under the order of unfinished business,

A bill relative to the lien of mechanics and others;

A bill to provide for vacating a portion of the Grand river road;

A bill to attach townships five, six, seven, eight, nine and ten north, range thirteen west, to the county of Kent,

Severally reported back by the committee of the whole, with all after the enacting clause stricken out, which amendments were concurred in by the House, and the several enacting clauses indefinitely postponed.

A bill to prevent the circulation of foreign notes, the several amendments to which made in the committee of the whole, were non-concurred in, was read a third time and lost as follows, two-thirds of all the members elected not having voted therefor:

YEAS.

Mr. Bacon,
Barnes,
D. L. Case,
Church,
Darling,
Earl,
J. B. Eaton,
Fitch,

Mr. Fowler,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,

Mr. Kimberly,
Minne,
H. M. Moore,
Root,
Shearer,
Truesdell,
Turner,
Waite,

24

NAYS.

Mr. Balcombe,
Baldwin,
Britain,
Beecher,
Butterfield,
S. M. Case,
Chandler,
Childs,
Darius Clark,
David Clark,

Mr. Crane,
Croaman,
L. Eaton,
Ferry,
Gray,
Gregory,
H. Hall,
Hitchings,
Lawrence,
Martin,

Mr. Sexton,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Voorhies,
P. D. Warner,
W. Warner,
Watkins,

Clyburn,
Corbin,
Corrigan,
Covert,

Marvin,
Montgomery,
A. H. Moore,
Pierce,

Wheeler,
Yocum,
Speaker,

41

A bill to attach townships nine and ten north of range nine west to the county of Montcalm, the several amendments made in the committee of the whole were non-concurred in, was read a third time and was lost by the following vote, two-thirds of all the members elected not having voted therefor:

YEAS.

Mr. Baldwin,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Childs,
David Clark,
Clyburn,
Crosman,
J. B. Eaton,

Mr. L. Eaton,
Fitch,
Fowler,
H. Hall,
S. C. Hall,
Hicks,
Lawrence,
Martin,
Marvin,

Mr. H. M. Moore,
Patterson,
Sexton,
Shearer,
Truesdell,
Voorhies,
W. Warner,
Wheeler,
Yocum,

28

NAYS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Britain,
Church,
Darius Clark,
Corbin,
Covert,
Crane,
Darling,
Earl,

Mr. Ferry,
Gray,
Gulley,
Hart,
Hubbell,
Hyde,
Irvine,
Kimberly,
Minne,
Montgomery,
A. H. Moore,

Mr. Pierce,
Root,
Sherwood,
Smith,
Stetson,
Town,
Turner,
Waite,
P. D. Warner,
Watkins,
Speaker,

34

A bill relating to the conveyance of real estate,

Being under consideration,

Mr. Pierce moved to strike out all after the enacting clause.

Pending the question on which,

On motion of Mr. Church,

The bill was ordered laid on the table.

A bill to repeal sections 7, 8, 9, 10, 11 and 12 of an act entitled an act to provide for the removal of the State Land Office to the seat of government, approved March 31, 1849,

The amendment to which, in committee of the whole, to strike out all after the enacting clause, was concurred in.

The enacting clause was then indefinitely postponed.

A bill to amend section 10 of chapter 155 of title 30 of the revised statutes of 1846, relative to crimes and the punishment thereof,

Was read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,

Mr. Darling,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Lawrence,
Martin,

Mr. Marvin,
Montgomery,
A. H. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Shook,
Truesdell,
Town,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

50.

NAYS.

0.

The House then by a vote of two-thirds of all the members elected thereto, ordered that said act take immediate effect.

A bill to provide for publishing the annual report of the Michigan State Agricultural Society,

Was read a third time and passed, by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Britain,
Butterfield,
Calkins,
D. L. Case,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,

Mr. Darling,
Earl,
L. Eaton,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
Hubbell,
Irvine,
Kimberly,

Mr. A. H. Moore,
H. M. Moore,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Truesdell,
Town,
Voorhies,
Waite,

Corbin,
Corrigan,

Marvin,
Montgomery,

W. Warner,
Yocum, 29

NAYS

Mr. Bacon,
Barnes,
Beecher,
Covert,
Crosman,
Gray,

Mr. Hart,
Hicks,
Lawrence,
Martin,
Minne,
Patterson,

Mr. Pierce,
Root,
P. D. Warner,
Wheeler,
Speaker, 17

A bill to perfect the organization of the county of Ontonagon in the upper peninsula, was,

On motion of Mr. Bacon,

Ordered laid on the table.

A bill to provide for publishing the statistics of this State, taken by authority of the United States in the year 1850,

The amendments to which in committee of the whole, were concurred in, was read a third time and passed, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Clyburn,
Corbin,
Covert,
Crane,
Darling,
Earl,

Mr. J. B. Eaton,
L. Eaton,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hyde,
Lawrence,
Martin,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Voorhies,
P. D. Warner,
Watkins,
Wheeler,
Yocum,
Speaker, 47

NAYS.

Mr. Barnes,
Gray,
Hubbell,

Mr. Marvin,
Patterson,
Pierce,

Mr. Root,
Turner, 6

A bill in relation to the Erie and Kalamazoo railroad company, was taken up; when

Mr. Fitch moved its indefinite postponement.

Mr Church moved to lay on the table.

Lost.

The question was then taken on the motion of Mr. Fitch.

Which was lost, by the following vote:

YEAS.

Mr. Barnes,
Calkins,
Corrigan,
Fitch,

Mr. Fowler,
Gulley,
Hubbell,

Mr. Marvin,
Voorhies,
Yocum,

10

NAYS.

Mr. Baldwin,
Beecher,
Britain,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Covert,
Crane,
Crosman,
Darling,

Mr. J. B. Eaton,
Gray,
Gregory,
H. Hall,
Hart,
Hitchings,
Hyde,
Kimberly,
Lawrence,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Pierce,

Mr. Root,
Sexton,
Shearer,
Sherwood,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,

44

Mr. Corrigan then offered the following amendment:

Amend by adding to section one: "Provided, That nothing in this act contained shall be so construed as in any manner to legalize any forfeiture incurred by said company under the act to which this is amendatory: And provided further, That nothing contained in this act shall be so construed as in any manner to relieve said company from any liability to forfeiture incurred under the act to which this is amendatory."

Mr. Barnes offered the following amendment to the amendment:

"Provided further, That before said company shall have the right to issue its bonds, it shall disconnect the connection of said Erie and Kalamazoo rail road with the Michigan southern rail road, except crossing said southern rail road."

Mr. Church moved to take a recess until 7 o'clock.

Lost.

Mr. Hubbell moved the previous question. Demanded.

Mr. Hyde moved that the House adjourn.

Lost as follows:

YEAS

Mr. Bacon,
Barnes,
Calkins,
Darius Clark,
Corrigan,
L. Eaton,

Mr. Fowler,
Gulley,
S. C. Hall,
Hyde,
Irvine,

Mr. Mariny
Marvin,
Sexton,
Shearer,
Speaker,

16

NAYS.

Mr. Baldwin,
Beecher,
Britain.
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Corbin,
Covert,
Crane,
Crosmen,
Darling,

Mr. J. B. Eaton,
Ferry,
Gray,
Gregory,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Kimberly,
Lawrence,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Pierce,
Root,
Sherwood,
Shook,
Smith,
Truesdell,
Town,
Turner,
Voorhies,
Wait,
P. D. Warner,
Watkins,
Yocum,

44

The question then being, "shall the main question be now put?" the same was agreed to.

The question then being taken on the amendment of Mr. Barnes, the same was lost, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Calkins,
Darius Clark,
Clyburn,
Corrigan,

Mr. Ferry,
Fitch,
Fowler,
Gulley,
S. C. Hall,
Hyde,
Martin,

Mr. Marvin,
H. M. Moore,
Shook,
Truesdell,
Town,
Wheeler,
Yocum,

21

NAYS.

Mr. Beecher,
Britain,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Darius Clark,
Covert,
Crane,
Grosman,
J. B. Eaton,

Mr. Gray,
H. Hall,
Hart,
Hitchings,
Hubbell,
Kimberly,
Lawrence,
Minne,
Montgomery,
A. H. Moore,
Patterson,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Smith,
Town,
Voorhies,
Waite,
P. D. Warner,
Speaker,

33

The question then being on the amendment of Mr. Corrigan, the same was adopted, by the following vote:

YEAS.

Mr. Bacon,	Mr. L. Eaton,	Mr. H. M. Moore,
Barnes,	Perry,	Sexton,
Bescher,	Fowler,	Shearer,
D. L. Case,	Gulley,	Sherwood,
S. M. Case,	H. Hall,	Shook,
Chandler,	S. C. Hall,	Town,
Church,	Hubbell,	Voorhies,
Darius Clark,	Hyde,	P. D. Warner,
Clyburn,	Irvine,	W. Warner,
Corrigan,	Martin,	Watkins,
J. B. Eaton,	Marvin,	Speaker, 33

NAYS.

Mr. Balcombe,	Mr. Hitchings,	Mr. Pierce,
Crane,	Kimberly,	Smith,
Crosman,	Lawrence,	Stetson,
Darling,	Minne,	Turner,
Gray,	Montgomery,	Waite,
Gregory,	A. H. Moore,	Wheeler,
Hart,	Patterson,	20

The main question then being on ordering the bill to be engrossed and read the third time, it was ordered to be engrossed and so read.

The following message was received from the Governor by the hands of S. P. Purdy, Esq., his private secretary:

EXECUTIVE OFFICE, }
Lansing, April 4, 1851. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for auditing and paying the expenses of the constitutional convention;

An act to authorize and direct the Secretary of State to execute by deed, a conveyance of a certain tract of land to Robert B. McKay;

An act to authorize the apportionment of certain primary school moneys in the county of Branch;

An act authorizing the Board of State Auditors to examine and settle the claim of Eneas Daly;

An act to regulate proceedings in attachment against foreign corporations in certain cases;

An act to establish the township line between the townships of Clinton and Harrison, in the county of Macomb;

An act to authorize the incorporation of Bridge companies;

An act to amend chapter sixty, title twelve of the revised statutes;

An act to amend sections one and two of an act entitled an act to incorporate the Pioneer Smelting Company of the Upper Peninsula of Michigan, approved March 10, 1847.

JNO. S. BARRY.

On motion of Mr. Crozman,

The House then took a recess until 7 o'clock this evening.

Evening Session.

7 o'clock.

The House met pursuant to adjournment and was called to order by the Speaker.

The roll was called and a quorum present.

The House then went into committee of the whole on the special order,

Mr. Irvine in the chair.

And after some time spent thereon, the committee rose and by their chairman reported back to the House,

A bill prohibiting the sale of ardent spirits, mixed or malt liquors, under a given quantity, with a substitute therefor, asked the concurrence of the House therein, and to be discharged from the further consideration thereof.

The report was accepted; the committee discharged, and the substitute concurred in by the following vote:

YEAS.

Mr. Balcombe,
Baldwin,
Beecher,
D. L. Case,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Crane,

Mr. Gray,
Gregory,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. Patterson,
Pierce,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,

Crosman,
Earl,
L. Eaton,
Ferry,
Fitch,

Marvin,
Minne,
Montgomery,
H. M. Moore,
A. H. Moore,

Waite,
P. D. Warner,
W. Warner,
Yocum,

57

NAYS.

Mr. Barnes,
Britain,
Butterfield,
Calkins,
Chandler,

Mr. Corrigan,
Covert,
Darling,
J. B. Eaton,
Fowler,

Mr. H. Hall,
S. C. Hall,
Root,
Speaker,

14

The bill was then read the third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Beecher,
Calkins,
D. L. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Crane,
Crosman,
Darling,

Mr. Earl,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
H. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Marvin,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Pierce,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Waite,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,

47

NAYS.

Mr. Barnes,
Britain,
Butterfield,
S. M. Case,
Corrigan,
Covert,

Mr. J. B. Eaton,
Gregory,
S. C. Hall,
Hitchings,
Martin,

Mr. Patterson,
Root,
Turner,
Voorhies,
Speaker,

16

The House then, by a vote of two-thirds of all the members elected, directed that said act take effect from and after 4th July next.

On motion of Mr. Irvine,

The original bill was then indefinitely postponed.

A bill in relation to the Erie and Kalamazoo railroad company, was ordered to be read the third time, was so read and lost, by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Britain,
D. L. Case,
Childs,
David Clark,
Corbin,
Covert,
Crane,
Crosman,
Darling,

Mr. J. B. Eaton,
Ferry,
Gray,
Gregory,
H. Hall,
Hart,
Hicks,
Hitchings,
Kimberly,
Lawrence,

Mr. Minne,
Montgomery,
A. H. Moore,
Root,
Smith,
Stetson,
Turner,
Watts,
P. D. Warner,
Watkins,

31

NAYS.

Mr. Balcombe,
Barnes,
Butterfield,
Calkins,
S. M. Case,
Chandler,
Church,
Darius Clark,
Clyburn,
Corrigan,
Earl,
L. Eaton,

Mr. Fitch,
Fowler,
Gulley,
S. C. Hall,
Hubbell,
Hyde,
Irvine,
Martin,
Marvin,
H. M. Moore,
Patterson,
Pierce,

Mr. Sexton,
Shearer,
Sherwood,
Shook,
Truesdell,
Town,
Voorhies,
W. Warner,
Wheeler,
Yocum,
Speaker,

35

Mr. Church moved a reconsideration of the last vote.

Agreed to.

The motion was then laid on the table.

Mr. Gregory moved that it be now taken from the table.

Lost.

The Speaker announced the following message from the Executive:

EXECUTIVE OFFICE,
Lansing, April 4, 1861. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to amend an act entitled an act to incorporate the village of Battle Creek, approved April 2, 1860;

JNO. S. BARNY.

Also the following from the Senate:

SENATE CHAMBER,
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House of Representatives,

A joint resolution to amend the constitution by changing the judiciary system; and

A bill granting to Alexander H. Bartley, and his assigns, the right to keep and maintain a ferry across the St. Clair river, in the village of St. Clair,

And to inform the House that they have passed the same, the first named by a two-thirds vote of all elect, and in both which the concurrence of the House is requested.

I am also instructed to inform the House that the Senate have non-concurred in the House amendments to

Joint resolution in relation to the construction of several roads north of the mouth of Saginaw river.

And also that the Senate insist upon their amendment to

A bill to amend section 2 of an act to incorporate the Michigan Mining Company, approved March 30, 1848.

Also to transmit,

A bill in aid of the Michigan Asylum,

Which the Senate have passed, and in which the concurrence of the House is desired.

Very respectfully, &c.,

O. W. MOORE,

Sec'y Senate.

The 1st and 2d named were severally twice read, and referred to the judiciary committee.

The House insisted in their amendments to the 3d named.

The House refused to recede from their nonconcurrence in the Senate amendment to the 4th, and

Messrs. Bacon, Irvine and Root were appointed a committee of conference on the disagreement.

The 5th was twice read and referred to the committee of ways and means.

A bill to vacate the village plat of Charleston, in the county of Ottawa,

Was indefinitely postponed.

A bill to authorize certain townships and villages to take stock in the Port Huron and Lapeer plank road,

Was taken up for consideration; when

Mr. Montgomery moved to fill the blank therein with "the first Tuesday in October next."

Agreed to.

The bill was then read a third time and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnea,
Beecher,
Britain,
Butterfield,
D. L. Case,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,

Mr. Covert,
Crane,
L. Eaton,
Ferry,
Gregory,
Gulley,
S. C. Hall,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,

Mr. Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Shearer,
Shook,
Smith,
Stetson,
Town,
Turner,
Waite,
Speaker,

30

NAYS.

Mr. S. M. Case,
Darling,
Fitch,
Fowler,
Gray,
H. Hall,

Mr. Hicke,
Marvin,
Pierce,
Sexton,
Truesdell,
Voorhies,

Mr. P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,

17

The House then directed by a vote of two-thirds of all the members elected, that the said act shall take effect immediately.

A bill to amend sections 1 and 2 of an act entitled an act to incorporate the Cassopolis and Dowagiac plank road company, approved March 25, 1850,

Was read a third time and lost by the following vote, two-thirds of all the members elected not voting therefor:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Butterfield,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,

Mr. Sexton
Shearer,
Sherwood,
Shook,

S. M. Case,
Chandler,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crosman,
Darling,
Earl,

Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,
Minne,

Smith,
Stetson,
Truesdell,
Turner,
Voorhies,
Wait,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum, 45

NAYS.

Mr. Crane,
J. B. Eaton,
Gregory,

Mr. H. Hall,
Montgomery,

Mr. A. H. Moore,
Root,

7

A bill to vacate the village plat of New Canandaigua City, in the county of Oakland,

Was taken up, and the question being on concurring in the amendment of the committee of the whole, which was to strike out all after the enacting clause, the same was not concurred in.

Mr. Britain then offered a substitute therefor.

Read a first and second time, ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Britain,
Butterfield,
D. L. Case,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,

Mr. Crosman,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gray,
Gregory,
Gulley,
S. C. Hall,
Hicks,
Hitchings,
Hyde,
Martin,
Marvin,

Mr. Montgomery,
Patterson,
Pierce,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Yocum, 45

NAYS.

Mr. Lawrence,

Mr. Speaker,

2

On motion of Mr. Britain,

The title was then so amended as to read a bill to provide for the vacation of village plats.

A bill to provide for the appraisal and to reduce the minimum price of university lands,

Was read a third time and lost, as follows, two-thirds of all the members elected not voting therefor:

YEAS.

Mr. Belmonte,	Mr. J. B. Eaton,	Mr. H. M. Moore,
Butterfield,	Ferry,	Root,
D. L. Gata,	Gregory,	Sherwood,
Chandler,	Gulley,	Shook,
Church,	S. C. Hall,	Stetson,
Darius Clark,	Hart,	Town,
David Clark,	Kimberly,	Turner,
Corbin,	Lawrence,	Wait,
Covert,	Montgomery,	P. D. Warner,
Earl,	A. H. Moore,	W. Warner 30

NAYS.

Mr. Bacon,	Mr. Crosman,	Mr. Patterson,
Barnes,	L. Eaton,	Pierce,
Brittain,	Pitch,	Stetson,
Calkins,	Fowler,	Shearer,
S. M. Case,	Gray,	Truesdell,
Childs,	H. Hall,	Veorthies,
Clyburn,	Hubbell,	Wheeler,
Corrigan,	Martin,	Yocum,
Crane,	Marvin,	Speaker, 27

The House then resolved itself into committee of the whole on the general order,

Mr. P. D. Warner in the chair.

After some time spent thereon, the committee rose and through their chairman, reported back the following entitled bills:

1. A bill to divide the state into Congressional districts;
2. Joint resolution in reference to the claim of Joel Burgess;
3. A bill to provide for a State board of equalization;
4. A bill to amend chapter 12, R. S. of 1846, relative to certain State officers;
5. A bill relative to highway taxes in the city of Detroit;
6. A bill to authorize the formation of insurance companies;
7. A bill to repeal sections 30, 31 and 32 of chapter 128, title 24 of the revised statutes of 1846, to provide for certain modifications in criminal proceedings;
8. Joint resolutions relative to the claim of the heirs of Orson R. Willard;

9. Joint resolutions to amend the constitution of Michigan;
10. Joint resolutions relative to the claim of Thos. Ritchie;
11. Joint resolution relative to the claim of Daniel Goodwin;
12. A bill to provide for the payment of the indebtedness of the State;

To some of which they had made amendments, in which they asked the concurrence of the House, and to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

Mr. Fitch moved that the House adjourn,

Lost.

The first named being under consideration,

The amendments thereto were concurred in,

Mr. Hyde moved to lay the bill on the table,

Lost.

Mr. Fowler moved to recommit with instructions to strike out "Macomb" and insert "Jackson,"

Pending which,

On motion of Mr. Hubbell,

The bill was laid on the table,

Mr. Wheeler moved the House adjourn,

Lost.

The amendment to the second, which was to strike out all after the enacting clause, was concurred in.

The enacting clause was then indefinitely postponed.

Mr. Wheeler moved that the House adjourn,

Lost.

The amendments to the third were non-concurred in.

The bill was then read a third time and passed by the following vote;

YEAS.

Mr. Balcombe,
Britsin,
Butterfield,
Chandler,
Childs,
Darius Clark,
David Clark,
Clyburn,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gulley,
Hicks,
Hitchings,
Hubbell,

Mr. Pierce,
Sexton,
Shearer
Sherwood,
Smith,
Town,
Turner,
Voorhies,

Corbin,
Corrigan,
Covert,
Crane,
Darling,
J. B. Eaton,

Hyde,
Irvine,
Lawrence,
Montgomery,
A. H. Moore,

P. D. Warner,
Watkins,
Wheeler,
Yecum,
Speaker,

40

NAYS.

Mr. Beecher,
Crossman,
H. Hall,

Mr. S. C. Hall,
Patterson

Mr. Root,
Smith,

7

The House then directed by a vote of two-thirds of all the members elected thereto, that said act shall take effect immediately.

The Speaker then, by unanimous consent, announced the following message from the Senate:

SENATE CHAMBER,
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House,

1. A bill to organize the county of Grand Traverse;
2. A bill to authorize the board of State auditors to examine and settle the claim of Samuel W. Pitts;
3. A bill to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846;
4. A bill to provide for the re-assessment of certain taxes of 1850 in the township of Montcalm, in the county of Montcalm;
5. A bill authorizing the Board of State Auditors to examine and settle claims against the State for the translation and publication of the Governor's message for the years 1850 and 1851;
6. A bill to provide for the correction of an error in the returns of non-resident lands for the year A. D. 1850;
7. Joint resolution in relation to the Ottawa and Chippewa Indians;
8. A bill to repeal an act to amend sections 2 and 3 of an act entitled an act to incorporate the Copper Falls mining company, approved April 13, 1848; approved March 8, 1851;

And to inform the House that the Senate have passed the same; the first three with amendments in which the concurrence of the House is asked, and have by a two-thirds vote of all elect directed the same, with the exception of the third named, to take immediate effect.

I am also instructed to return to the House.

9. A bill to amend section 2 of an act to incorporate the village of Coldwater, in the county of Branch;

10. A bill to amend the charter of the Plymouth plank road company; and

11. A bill to amend sections 3 and 5 of an act entitled an act to incorporate the Monroe and Dearborn plank road company, approved February 19, 1850,

And to inform the House that the Senate have concurred therein by a two-thirds vote of all elect.

Very respectfully,

O. W. MOORE,

Secretary Senate.

The amendments to the 1st, 2d and 3d named were severally concurred in, and the bills as amended severally ordered enrolled.

The 4th, 5th, 6th, 7th, 8th, 9th, 10th and 11th were severally ordered enrolled.

Also the following:

SENATE CHAMBER,
Lansing, April 4, 1861. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit herewith,

1. A bill to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers;

2. A bill to define the limits, jurisdiction and powers of circuit courts;

3. A bill to amend the second section of an act entitled an act to incorporate the Minnesota mining company, approved March 7, 1849;

4. A bill relative to the State library;

5. A bill making appropriations for the salaries of State officers for the year 1851 and 1852,

And to inform the House that the Senate have passed the same; the 1st, 3d and 5th by a two-thirds vote of all elect, and have ordered

the first and last named to take immediate effect, and in all which the concurrence of the House is asked.

Respectfully,

O. W. MOORE,

Sec'y of Senate.

The 1st and 2d twice read and referred to judiciary committee.

The 3d and 5th twice read and referred to committee of ways and means.

The 4th twice read and referred to committee on education.

Also the following:

SENATE CHAMBER,
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

Sir—I am instructed by the Senate to transmit to the House of Representatives,

1. Joint resolution authorizing the sale of the published laws and documents.

2. A bill to provide for the appointment of an additional circuit court commissioner for the county of Wayne;

3. A bill to amend sections 13 and 15 of an act to incorporate the president, directors and company of the Peninsular Bank;

4. A bill to amend sections 13 and 15 of an act to incorporate the president, directors and company of the Farmers' and Merchants' Bank of Ann Arbor;

5. A bill to provide for publishing the reports of the State officers for the year 1852, and every second year thereafter;

6. A bill to amend sections 1, 3, 4, 6, 13, 17 and 19 of an act entitled an act to incorporate the St. Mary's canal company, approved March 17, 1847;

7. A bill to amend sections 11 and 13 of an act to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance company of Detroit, approved March 7, 1844, and the several acts amendatory thereto, approved March 28, 1849,

And to inform the House that the Senate have passed the same by a two-thirds vote, with the exception of the 5th named, and have or-

ordered the 1st and 2d named to take effect immediately, and in all which the concurrence of the House is desired.

Respectfully,

O. W. MOORE,

Sec'y of the Senate.

Said bills were severally twice read, and referred as follows:

The 1st and 6th to committee of ways and means.

The 3d, 4th and 7th to committee on banks and incorporations.

The 2d and 5th to committee on judiciary.

Also the following:

SENATE CHAMBER,
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House of Representatives,

1. Joint resolution relative to the interest account between the State of Michigan and certain counties thereof;

2. A bill to authorize the board of supervisors of the county of Shiawassee to loan money;

3. A bill to amend chapter 50 of the revised statutes of 1846, entitled of the State land office, and the officers connected therewith;

4. A bill to amend section 10, chapter 135 of title 30 of the revised statutes of 1846, relative to crimes, and the punishment thereof;

5. A bill authorizing certain improvements on the school section, in the village of Lansing;

6. A bill to provide for the completion of the canal and locks around the rapids of Grand River, at Grand Rapids;

7. A bill to amend the act incorporating, and the acts amending the Detroit, Romeo, and port Huron railroad company.

And to inform the House of Representatives that the Senate have concurred therein, the 2d, 6th and 7th named, with amendments in which the concurrence of the House is respectfully asked, and have by a two-thirds vote of all elect, ordered the 3d, 4th and 5th named to take effect immediately.

Very respectfully,

O. W. MOORE,

Sec'y of Senate.

The 1st, 2d, 4th and 5th were severally ordered enrolled.

The amendments to the 2d and 6th were severally concurred in and the same ordered enrolled.

Mr. Hyde moved to lay the 7th named on the table.

Lost.

The amendments were then concurred in, and the bill ordered enrolled by the following vote:

YEAS.

Mr. Bacon,	Mr. Darling,	Mr. A. H. Moore,
Balcombe,	Earl,	H. M. Moore,
Beecher,	J. B. Eaton,	Patterson,
Britain.	Ferry	Root,
Butterfield,	Gregory,	Sexton,
D. L. Case,	Gulley,	Sherwood,
S. M. Case,	S. C. Hall,	Smith,
Chandler,	Hart,	Stetson,
Church,	Hitchings,	Town,
Darius Clark,	Hubbell,	Turner,
Clyburn,	Irvine,	Waite,
Corbin,	Kimberly,	P. D. Warner,
Corrigan,	Lawrence,	Watkins,
Covert,	Martin,	Wheeler,
Crane,	Minne,	Yocum,
Crosman,	Montgomery,	Speaker, 48

NAYS.

Mr. Childs,	Mr. Marvin,	Mr. Truesdell,
L. Eaton,	Pierce,	Voorhies,
Fitch,	Shearer,	W. Warner,
Hyde,		10

Also the following:

SENATE CHAMBER, }
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIX—I am instructed by the Senate to return to the House,

1. A bill to amend sections 44, 46 and 47, chapter 12 of the revised statutes of 1846, relative to the board of State auditors,
 2. A bill to amend the charter of the village of Kalamazoo, and the acts amendatory thereof;
 3. A bill to amend sections 1, 2 and 3 of chapter 95 of the revised statutes of 1846; and
 4. A bill to amend chapter 114 of the revised statutes entitled of proceedings against debtors by attachment,
- In all of which the Senate have concurred, the last named with

amendments, in which the concurrence of the House is asked, and have by a two-thirds vote of all elect ordered the two first named to take immediate effect. Also to return

5. A bill to organize the county of Oceana;

6. A bill to change the name of John Atson Atwater to John Atson Rosebrook; and

7. A bill to repeal chapter 36 of title 8 of the revised statutes of 1846, relative to medical societies,

In which the Senate have concurred.

Respectfully,

O. W. MOORE,

Secretary of Senate.

The 1st, 2d, 3d, 5th and 6th, were severally ordered enrolled.

The amendments to the 4th, were concurred in, and the bill as amended ordered enrolled.

Also the following:

SENATE CHAMBER, }
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House of Representatives,

Joint resolution relative to printing the revised constitution in the Dutch language;

And to inform you that the Senate have passed the same, with amendments in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Sec'y Senate.

The amendments were concurred in, and the joint resolution as amended ordered enrolled.

And the following:

SENATE CHAMBER, }
Lansing, April 4, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House,

1. A bill to provide for the special election of a county treasurer in the county of Wayne

To A bill to amend the constitution of the State entitled an act to incorporate the Douglass Houghton mining company, approved March 27, 1848,

And to inform the House that the Senate have passed the same by a two-thirds vote of all elect, and in which the concurrence of the House is respectfully asked.

Respectfully,

O. W. MOORE,

Sec'y Senate.

The 1st named was twice read, and under a suspension of the rules ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Childs,
Church,
Darius Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crosmen,
Darling,

Earl,
L. Eaton,
Ferry,
Fitch,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Martin,
Marvin,
Minne,

Mr. Patterson,
Pierce,
Sexton,
Shearer,
Sherwood,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
P. D. Warner,
W. Warner,
Wheeler,
Yocum,
Speaker,

49

NAYS.

Mr. Baldwin,
Crane,
Gregory,

Mr. Lawrence,
Montgomery,

Mr. A. H. Moore,
Waite,

7

The House then, by a vote of two-thirds of all the members elected ordered that said act take immediate effect.

The 2d named was twice read, and referred to the committee on mines and minerals.

The house then resumed the consideration of the report of the committee of the whole.

The bill to amend chapter 12 of the revised statutes of 1846, reported back by committee of the whole without amendment, was con-

dered to be read the third time, was so read and passed, by the following vote:

YEAS

Mr. Bacon, Balcombe, Baldwin, Britain, Butterfield, S. M. Case, Chandler, Childs, Church, David Clark, Covert, Crane, Darling,	Mr. Earl, J. B. Eaton, Ferry, Gray, Gregory, Gulley, Hart, Hitchings, Hubbell, Irvine, Kimberly, Lawrence, Martin,	Mr. Minne, Montgomery, A. H. Moore, Root, Sexton, Sherwood, Turner, Voerhies, Waite, P. D. Warner, Watkins, Speaker,
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38

NAYS

Mr. Calkins, Darius Clark, Clyburn, Corbin, S. C. Hall,	Mr. Hyde, Marvin, Patterson, Pierce,	Mr. Truesdell, Town, W. Warner, Wheeler,
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13

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said act shall take effect immediately.

A bill to provide for a sinking fund, reported back by committee of the whole, was then taken up, and the several amendments thereto, offered by Mr. Britain, concurred in.

The bill was then passed by the following vote:

YEAS

Mr. Bacon, Balcombe, Beecher, Britain, Butterfield, D. L. Case, S. M. Case, Chandler, Childs, David Clark, Clyburn, Corbin, Covert, Crane, Darling,	Mr. Earl, L. Eaton, Ferry, Fitch, Fowler, Gregory, Gulley, Hitchings, Hubbell, Irvine, Kimberly, Lawrence, Marvin, Montgomery, A. H. Moore,	Mr. Patterson, Pierce, Root, Sexton, Shearer, Sherwood, Smith, Stetson, Truesdell, Town, Voerhies, Waite, W. Warner, Watkins, Yocum,
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45

NAYS.

Mr. Baldwin,
Church,
Darius Clark,
S. C. Hall,

Mr. Hart,
Hyde,
Martin,

Mr. Turner,
P. D. Warner,
Speaker,

10

Mr. Root then moved that the House adjourn.

Lost.

Mr. Root then moved a call of the House.

Lost.

Mr. Root then moved that the House adjourn.

Lost.

On motion of Mr. Fitch,

The House then adjourned by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Darius Clark,
David Clark,

Mr. Clyburn,
Corbin,
Crane,
Darling,
L. Eaton,
Fitch,
Fowler,
Gulley,
H. Hall,
Marvin,
Montgomery,
Pierce,

Mr. Root,
Sherwood,
Smith,
Stetson,
Truesdell,
Town,
Turner,
W. Warner,
Watkins,
Wheeler,
Yocum,

35

NAYS.

Mr. Covert,
Crosman,
Ferry,
Gregory,
S. C. Hall,
Hart,
Hitchings,

Mr. Hubbell,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Sexton,
Shearer,
Voorthies,
P. D. Warner,
Speaker,

21

Lansing, Saturday, April 5, 1851.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Atterbury.

The roll was called and the members all present except Mr. Pen-ton, excused on account of sickness.

The reading of the journal of yesterday's proceedings was, by unanimous consent, dispensed with.

By unanimous consent, Senate joint resolution relative to resolutions and bills, was then taken up, read the third time and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Darling,	Mr. A. H. Moore,
Barnes,	Earl,	H. M. Moore,
Butterfield,	J. B. Eaton,	Patterson,
Calkins,	L. Eaton,	Root,
D. L. Case,	Ferry,	Sexton,
S. M. Case,	Fowler,	Sherwood,
Chandler,	Gregory,	Shook,
Childs,	Gulley,	Stetson,
Church,	Hart,	Town,
David Clark,	Hicks,	Turner,
Clyburn,	Hitchings,	Voorhies,
Corbin,	Hyde,	Waite,
Corrigan,	Irvine,	P. D. Warner,
Covert,	Kimberly,	Wheeler,
Crane,	Martin,	Yocum,
Crosman,	Minne,	Speaker, 48

NAYS.

Mr. Balcombe,	Mr. Fitch,	Mr. Pierce,
Beecher,	Marvin,	Truesdell,
Darius Clark,	Montgomery,	8

Mr. Pierce submitted the following protest and asked that it be entered on the journal of the proceedings of the House:

To the Hon. the House of Representatives:

The undersigned, a member of this House, would respectfully ask, as a constitutional right, that the within protest be received by this House, and entered on the journal thereof.

PROTEST.

The undersigned, one of the members of the House of Representatives, hereby enters his solemn protest against the acts and proceedings of the House upon the subject herein set forth:—

On the 27th day of March, 1851, a bill was introduced into the House of Representatives, entitled "a bill directing the publication of a statement of lands to be sold for taxes in Cass county in 1851."

The first section provided for publishing the statement of lands to be sold in Cass county in the year 1851, in a certain newspaper

printed in that county, and the second section was in the following words:

"Sec. 2. This act shall take effect immediately."

On the same day the bill was introduced, the House passed the first section of this bill, as appears on the journal of the House of Representatives; and by a direct vote refused to pass the second section of said bill, which also appears on said journal. And the House took no further action on said bill.

On the same day, March the 27th, 1851, there appears on the journal of the Senate of that day the following statement or report:
"To the President of the Senate:

"Sir—I am instructed by the House of Representatives to transmit to the Senate,

"A bill directing the publication of a statement of lands to be sold for taxes in Cass county in 1851,

"Which the House have passed by a majority of all the members elected thereto, and respectfully ask the concurrence of the Senate therein.

"Respectfully,

D. P. BUSHNELL,

Clerk of House of Representatives."

Now I do most solemnly protest against the action of the House in allowing or permitting a bill to be taken from the possession of this House and reported to the Senate as having passed this House. and ask the concurrence of the Senate, when it is known to every member of this House that the House refused to pass the bill, and it is so stated on the journal of the House.

On the 29th day of the same month, March, the following report was made to the House of Representatives, as appears on the journal of that day:

"SENATE CHAMBER, }
 Lansing, March 29, 1851. }

"To the Speaker of the House of Representatives:

"Sir—I am instructed by the Senate, to return to the House of Representatives,

"A bill directing the publication of a statement of lands to be sold in Cass county in 1851,

"And to respectfully inform the House that the Senate have concurred therein, and by a two-thirds vote directed that said act take effect immediately.

"Very Respectfully,

O. W. MOORE,

Secretary of the Senate."

The journal says the bill was then ordered to be enrolled.

It was urged by the Speaker that the Senate had made an amendment to the bill; but the report says nothing about any amendment; and if there had been an amendment made by the Senate, the report should have so stated; and I have examined the bill and find it entire as when in the House, and without amendment; and if a motion was made that the House concur in an amendment, or a motion was so put, it was a fraud upon the House, and made for deception, as no amendment existed, and none had been made; and I do most solemnly protest against such an abuse.

On the journal of the House of Representatives of March the 29th, 1851, the following report appears:

"Mr. Hubbell, from the committee on enrolled bills, reported as correctly enrolled, signed, and this day presented to the Governor for his approval,

"An act directing the publication of a statement of lands to be sold for taxes in Cass county in 1851."

Also on the journal of the House of Representatives of Monday, March the 31st, appears the following communication:

"EXECUTIVE OFFICE,
Lansing, March 31, 1851. }

"To the House of Representatives:

"I have this day approved, signed and deposited in the office of the Secretary of State,

"An act directing the publication of a statement of lands to be sold for taxes in Cass county in 1851.

JNO. S. BARRY."

I do most solemnly protest against this act becoming a law or having any force or effect under ninety days after the close of this session, as this House by a direct vote on the 27th day of March, refused to pass the second section of this act, as appears by the jour-

nal of the House for that day; and as said vote has never been reconsidered it is in full force and binding upon the House.

And on the first day of April, 1851, the subscriber proposed to the House the following resolution, which was sent up to the Speaker and by the Clerk read to the House, as follows, to wit:

Resolved by the House of Representatives, That the Speaker of this House be requested to inform this House how and by what process the bill entitled a bill directing the publication of a statement of lands to be sold in the county of Cass in 1851, was taken from the possession of the committee on enrolment, signed by the Speaker as having passed this House and been correctly enrolled and presented to the Governor for his signature, when this House by a direct vote had refused to pass a portion of said bill to wit: that portion or section which says this act shall take effect immediately."

After several motions had been made in the House, Mr. Irvine made the following motion:

"Strike out the latter clause of the resolution all after the word 'when,' in said resolution," and the motion prevailed in the House.

And the following words were stricken from the resolution, to wit: "this House, by a direct vote, had refused to pass a portion of said bill, to wit: that portion or section which says 'this act shall take effect immediately.'"

Now I do most solemnly protest against the action of the House in amending the resolution which was presented to the House by me, in striking out the latter clause of said resolution, for the following reason: "that the House of Representatives did on the 27th day of March, 1851, by a constitutional vote, refuse to pass said bill as appears on the journal of this House for that day; and as that vote has not been reconsidered by the House it is still in force and binding on this House. And as the last clause of the resolution was in principle and fact the same as the journal of the House, it should not have been stricken out, for if the journal of the House is truth then the latter part of the resolution is truth.

And during the day, and while the resolution was under consideration in the House, Mr. S. C. Hall offered the following amendment to the resolution:

"Amend by inserting at the end of the ninth line the following:

and that the Speaker cause the facts to be stated in writing and placed upon the journal."

And the amendment was adopted in the House and the resolution was so amended.

And on the second day of April, 1851, the Speaker announced the following communication from the Clerk of the House of Representatives, to wit:

HOUSE OF REPRESENTATIVES, }
Lansing, April 2, 1851. }

To the House of Representatives:

I have been instructed by the Speaker of the House of Representatives, under the authority of a resolution adopted by the House on yesterday, to state the facts in regard to the action of the House upon the bill directing the publication of a statement of lands to be sold in Cass county in 1851.

The bill was passed by the House on the 27th ult., by a vote of 41 to 29; after which, the question was taken according to the practice of the House during this session, on bills required to take immediate effect, "will the House direct that this act shall take effect immediately?" which was decided in the negative, two-thirds of all the members elected not voting therefor. The bill was transmitted to the Senate on the same day, and returned on the 29th ult., and the House informed that the Senate had directed by the constitutional vote, that said act should take effect immediately.

The question was then distinctly stated by the Chair, in substance, "will the House concur in the Senate amendment to the bill, which amendment is to add a new section thereto, directing that it shall take effect immediately," and was decided affirmatively, by an almost unanimous vote; and the bill as amended was ordered enrolled. The enrolling committee filed a report with the clerk the same day, of its correct enrollment; which report was entered on the journal of the 29th.

It has been the usual practice of this committee to report through their chairman to the House, although it was seldom done at the last session of the Legislature, and the practice has been departed from on several occasions during this session, and their report filed with the clerk and entered on the record, without any other announcement being made to the House.

It is proper to add that an error appears in the printed copy of the journal of that day, as laid on the tables of members, as no action appears therein to have been taken by the House on the question; but the error was discovered immediately by the clerk, the correction made, and the precise action of the House will appear in the published journal of its proceedings.

Respectfully,

D. P. BUSHNELL,

Clerk of House of Rep's.

On motion of Mr. Hart,

Ordered laid on the table and printed on the journal.

Now I do most solemnly protest against the action of this House in ordering the communication made by the Clerk of this House under the direction of the Speaker, to be laid on the table and printed on the journal. Said communication states that the Clerk was instructed by a resolution to state the facts in regard to the action of the House upon the bill directing the publication of a statement of lands to be sold in Cass county in 1851. The Clerk in his statement to the House says "the bill was passed by the House on the 27th ult., by a vote of 41 to 20, after which the question was taken according to the practice of the House during this session on bills required to take immediate effect, 'will the House direct that this act shall take effect immediately?' which was decided in the negative, two-thirds of all the members elected not voting therefor. The bill was transmitted to the Senate on the same day."

Now I ask if the House had passed that bill. The Clerk says "the bill was passed by the House on the 27th ult., by a vote of 41 to 20. But the second section of that bill was in these words: "Sec. 2. This act shall take effect immediately;" and the Clerk tells you that the House refused to pass that section. Now I ask by what authority the Speaker declared that bill had passed the House when the journals states that the House refused to pass the bill? I ask again by what authority or under what rule of this House that bill was transmitted to the Senate and the Clerk reported to the Senate that the House had passed that bill and asked the concurrence of the Senate, and that he was so instructed by the House of Representatives? I ask again did not the Speaker of the House and Clerk

know that the House had refused to pass that bill? I think every member of this House must answer yes. If this conclusion is correct, then the report to the Senate was a false report; and I do most solemnly protest against such a course of proceedings.

The Clerk in his statement, spread on the journal of this House, says the bill was returned to the House on the 29th ult., and the House informed that the Senate had directed by the constitutional vote, that said act should take effect immediately. The Clerk says the question was then distinctly stated by the Chair in substance, "will the House concur in the Senate amendment to the bill, which amendment is to add a new section thereto, directing that this act shall take effect immediately."

Now let us inquire, and see what was the report of the Secretary of the Senate to the House of Representatives. The report of the Secretary of the Senate is as follows:

SENATE CHAMBER, }
Lansing, March 29, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House of Representatives, "A bill directing the publication of a statement of lands to be sold in Cass county in 1851;" and to respectfully inform the House that the Senate have concurred therein, and by a two-thirds vote ordered that it take effect immediately.

Respectfully,

O. W. MOORE,

Sec'y Senate.

Now, I ask, does the report say anything about amendments? Does not the report simply say, that the Senate have concurred in the passage of the bill? I cannot find on the Senate journal that any amendments were offered to the bill. And why should the Speaker put a motion in that form, when no such motion was offered or presented for the consideration of the House—when no amendment existed, and the journal of the House of Representatives on that subject, simply says the bill was ordered enrolled?

I do most solemnly protest against such a course of actions. In the closing paragraph of the Clerk's communication to the House, is the following statement:

"It is proper to add that an error appears in the printed copy of the journal of that day, as laid on the tables of members, as no action appears therein to have been taken by the House on the question; but the error was discovered immediately by the Clerk, the correction made, and the precise action of the House will appear on the published journal of its proceedings."

Now, I ask is that the fact in the case. The journal of the House says, "the bill, was ordered to be enrolled." I ask if that is not action? and I ask further, what right or justice there is in the Clerk altering the journal after the House have corrected it, and passed upon it? And I do most solemnly protest against the vassalating course of action.

In the 20th section of the 5th article of the constitution of this State, entitled "Legislative Department," is the following provision: "No public act shall take effect or be in force until the expiration of ninety days from the end of the session at which the same is passed, unless the Legislature shall otherwise direct by a two-thirds vote of all the members elected to each House." That the act under consideration has been passed in direct opposition of that portion of the constitution herein recited, and in violation of the rules adopted to govern the House of Representatives in their deliberations, I verily believe; and therefore I do most emphatically and solemnly protest against the acts of the House of Representatives in passing this bill.

Given under my hand at Lansing, this 4th day of April, in the year of our Lord, 1851.

NATHAN PIERCE

The protest having been read through by the Clerk,

Mr. Hart moved that the Speaker cause a statement of the facts connected with the subject matter of the protest to be made, and appended thereto, and entered on the journal therewith.

Mr. Irvine moved that the protest be laid on the table.

Lost, as follows:

YEAS.

Mr. Baldwin,
Barnes,
Covert,
Hubbell,

Mr. Hyde,
Irvine,
Martin,
A. H. Moore,

Mr. Patterson,
Turner,
Voorhies,
P. D. Warner, 12

NAYS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
Darius Clark,
Clyburn,
Corbin,

Mr. Crane,
Crosman,
Darling,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Kimberly,

Mr. Marvin,
Montgomery,
H. M. Moore,
Pierce,
Root,
Shearer,
Sherwood,
Stetson,
Truesdell,
Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,

44

Mr. Britain then spoke to the question, and was called to order by Mr. Church.

The Speaker decided Mr. Britain in order.

Mr. Church appealed from the decision.

Pending the question on the appeal,

Mr. Hyde moved the previous question; which was demanded.

And the question being then taken, "shall the main question be now put?" the same was decided in the affirmative.

The main question being on the motion of Mr. Hart, the same prevailed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Beecher
Calkins,
D. L. Case,
S. M. Case,
Childs,
Church,
Darius Clark,
Clyburn,
Corbin,
Corrigan,

Mr. Crane,
Crosman,
Darling,
Earl,
Ferry,
Fitch,
Fowler,
Gulley,
H. Hall,
Hitchings,
Kimberly,
Marvin,
Montgomery,

Mr. H. M. Moore,
Patterson,
Pierce,
Sexton,
Shearer,
Stetson,
Truesdell,
Town,
Waite,
W. Warner,
Watkins,
Wheeler,
Yocum,

39

NAYS.

Mr. Barnes,
Britain,
Butterfield,
Chandler,
Covert,

Mr. Hart,
Hicks,
Hubbell,
Hyde,
Irvine,

Mr. Root,
Sherwood,
Shook,
Smith,
Turner,

J. B. Eaton,
L. Eaton,
Gregory,
S. C. Hall,

Lawrence,
Martin,
Minne,
A. H. Moore,

Voorhies,
P. D. Warner,
Speaker,

26

Mr. Hubbell, from the committee on engrossment and enrollment, reported as correctly enrolled, signed and this day presented to the Governor for his approval:

An act to amend section 2 of an act to amend an act to incorporate the Shelby and Detroit rail road company, approved May 4, 1846;

An act to amend the charter of the Plymouth plank road company;

An act to authorize the board of supervisors of the county of Shiawassee to loan money;

Joint resolution relative to the interest account between the State of Michigan and certain counties thereof;

An act authorizing the board of State Auditors to examine and settle the claims against the State for the translation and publication of the Governor's messages for the years 1850 and 1851,

Joint resolution relative to printing the revised constitution in the Dutch language;

An act to amend section 4 of an act entitled an act to incorporate the Port Huron and Lake Michigan rail road company, approved January 30, 1847;

An act to organize the county of Grand Traverse;

An act to amend chapter 59 of the revised statutes of 1846, entitled "of the State Land Office and the officers connected therewith;"

An act authorizing certain improvements on the school section in the village of Lansing;

An act to amend section 10, chapter 155, title 30 of the revised statutes of 1846, relative to crimes and the punishment thereof;

An act to repeal chapter 36 of the revised statutes of 1846, relative to medical societies.

Mr. Lawrence, from the committee on engrossment and enrollment, reported as correctly enrolled, signed, and this day presented to the Governor for approval,

An act to provide for holding general elections in the upper peninsula;

An act to provide for the election of a district judge and regent of the university in the upper peninsula;

An act to amend an act entitled an act to incorporate the village of Kalamazoo, and acts amendatory thereto;

An act to amend section 107 of chapter 58 of the revised statutes of 1846, and acts amendatory thereto, relative to primary school lands;

Joint resolutions in relation to the Ottawa and Chippewa Indians;

An act to amend sections 44, 46 and 47 of chapter 12, of the revised statutes of 1846, relative to the board of State Auditors,

An act to amend sections 3 and 5 of an act entitled an act to incorporate the Monroe and Dearborn plank road company, approved February 18, 1850;

An act to amend section 2 of an act to incorporate the village of Coldwater in the county of Branch, approved February 29, 1837;

An act to authorize the board of State Auditors to examine and settle the claim of Samuel W. Pitts;

An act for correcting an error made by the treasurer of the town of Phelps town, in Ingham county, in making his returns to the county treasurer;

An act to organize the county of Oceana;

An act to repeal an act to amend sections 2 and 3 of an act entitled an act to incorporate the Copper Falls mining company, approved March 15, 1848, approved March 8, 1851.

Mr. Church, from the judiciary committee, to whom was referred

An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local administrative and legislative powers.

Reported the same back without amendment, recommended its passage and asked to be discharged.

The report was accepted, the committee discharged, and the bill ordered to be read the third time, was so read and passed, by the following vote:

YEAS.

Mr. Balcombe,
Barnes,

Mr. Fowler,
Gray,

Mr. H. M. Moore,
Patterson,

Beecher,
Butterfield,
Calkins,
D. L. Case,
Chandler,
Church,
Darius Clark,
Clyburn,
Corbin,
Corrigan,
Crane,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fitch,

Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,
Minne,
Montgomery,
A. H. Moore,

Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

52

NAYS.

Mr. Baldwin,

Mr. S. M. Case,

Mr. S. C. Hall,

3

The House then, by a vote of two-thirds of all the members elected thereto, directed that said act take effect immediately.

Mr. Church, from the judiciary committee, to whom was referred

A bill to amend sections 68 and 74 of an act to consolidate the laws in relation to county courts, and for other purposes, approved April 2, 1849, and to provide for the removal of causes from said county courts to the circuit courts,

Reported the same back without amendment, recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill ordered to a third reading, was so read and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
Clyburn,
Corbin,
Corrigan,

Mr. J. B. Eaton,
L. Eaton,
Ferry,
Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Kimberly,
Lawrence,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Smith,
Town,
Turner,
Voorhies,
Wait,
P. D. Warner,
W. Warner,

Covert,
Crosman,
Darling,
Earl,

Minne,
Montgomery,
A. H. Moore,

Watkins,
Yocum,
Speaker,

52

NAYS

Mr. Truesdell,

1

The House then ordered by a vote of two-thirds of all the members elected, that it take effect immediately.

Mr. Church, from the same committee, to whom was referred

1. A bill to amend section 1 of chapter 93 of the revised statutes of 1846, conferring jurisdiction upon justices of the peace;

2. A bill to define the jurisdiction and powers of circuit courts, and

3. A bill to provide for publishing the reports of the State officers for the year 1852, and every second year thereafter,

Reported the same back without amendment, recommended their passage, and asked to be discharged from their further consideration.

The report was accepted and the committee discharged.

Said bills were then ordered to be read the third time, were so read and passed as follows:

The first named by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
Corbin,
Covert,
Crane,
Crosman,
Darling,
Earl,
J. B. Eaton,
Ferry,

Mr. Fitch,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Marvin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker,

53

NAYS.

0

The second by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Darling,

Mr. Earl,
Ferry,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Irvine,
Martin,
A. H. Moore,

Mr. H. M. Moore,
Patterson,
Pierce,
Sexton,
Shearer,
Sherwood,
Smith,
Stetson,
Turner,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Speaker,

43

NAYS.

Mr. Truesdell,

Mr. W. Warner,

Mr. Yocum,

3

And the third as follows:

YEAS

Mr. Bacon,
Balcombe,
Barnea,
Beecher,
Butterfield,
D. L. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Crosman,
Darling,
Earl,

Mr. J. B. Eaton,
Ferry,
Fowler,
Gray,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Martin,
Minfe,
H. M. Moore,

Mr. Patterson,
Pierce,
Sexton,
Shearer,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Wheeler,
Yocum,
Speaker,

53

NAYS.

0

Mr. Church, from the judiciary committee, also reported back the following bills without amendment, recommended their passage and asked to be discharged from their further consideration:

A bill granting to Alexander H. Bartley and his assigns, the right to keep and maintain a ferry across the St. Clair river, in the village of St. Clair;

A bill to provide for an additional circuit court commissioner for the county of Wayne.

The report was accepted, the committee discharged, the bills severally ordered to be read the third time, were so read and passed, the first named by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Barnes,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
David Clark,
Corrigan,
Covert,
Crane,
Crosman,
Earl,
J. B. Eaton,
L. Eaton,
Fitch,

Mr. Fowler,
Gregory,
Gulley,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Minne,
Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,

Mr. Pierce,
Root,
Sexton.
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
W. Warner,
Watkins,
Yocum,
Speaker, 51

NAYS.

Mr. Truesdell,

1

The second, as follows:

YEAS.

Mr. Bacon,
Beecher,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,
Crane,
Earl,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Kimberly,
Martin,
Minne,
Montgomery,

Mr. H. M. Moore,
Patterson,
Pierce,
Root,
Sexton,
Shearer,
Sherwood,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Speaker,

49

NAYS.

Mr. Gregory,

1

Mr. Church, also reported back from the same committee,

A bill to define the limits, jurisdiction and powers of circuit courts.

Recommended its passage, and asked to be discharged.

The report was accepted, the committee discharged, the bill ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Barnes,
Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Corbin,
Corrigan,
Covert,
Darling,
Earl,
J. B. Eaton,

Mr. Gregory,
L. Eaton,
Ferry,
Fitch,
Fowler,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Town,
Turner,
P. D. Warner,
Watkins,
Speaker,

43

NAYS.

Mr. Beecher,

Mr. Calkins,

Mr. Pierce,

3

The House then by a vote of two-thirds of all the members elected thereto, ordered that the same shall take effect from and after the first day of January next, except section 3, which shall take effect from and after the first day of October next.

Mr. Lawrence, from the committee on enrollment and engrossment, reported as correctly enrolled the following bills, viz:

An act to change the name of John Atson Atwater;

An act to provide for the re-assessment of certain taxes of 1850, in the township of Montcalm, in the county of Montcalm.

Mr. Hubbell, from the committee on enrollment and engrossment reported as correctly engrossed and enrolled,

An act to amend chapter 14 of the revised statutes, entitled of proceedings against debtors by attachment.

Mr. Britain, from the committee of ways and means, to whom was referred

Joint resolution authorizing the sale of the published laws and documents, and

A bill in aid of the Michigan asylums,

Reported the same back without amendment, recommended their passage and asked to be discharged from their further consideration.

The report was accepted and the committee discharged.

The joint resolution was ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. A. H. Moore,
Balcombe,	L. Eaton,	H. M. Moore,
Baldwin,	Fitch,	Root,
Barnes,	Fowler,	Sexton,
Beecher,	Gray,	Shearer,
Butterfield,	Gregory,	Sherwood,
Chandler,	H. Hall,	Shook,
Childs,	S. C. Hall,	Stetson,
Darius Clark,	Hart,	Town,
David Clark,	Hicks,	Turner,
Clyburn,	Hitchings,	Voorhies,
Corbin,	Hyde,	Waite.
Corrigan,	Irvine,	P. D. Warner,
Covert,	Kimberly,	Watkins,
Crane,	Lawrence,	Wheeler,
Crosman,	Martin,	Yocum,
Darling,	Minne,	Speaker,
Earl,	Montgomery,	

33

NAYS.

0

The House then, by a vote of two-thirds of all the members elected thereto, ordered that said joint resolution shall take immediate effect.

The bill in aid of the Michigan asylums,

Mr. P. D. Warner moved to lay on the table.

Lost.

Mr. Fowler moved to strike out section 1 of the bill.

Lost as follows:

YEAS.

Mr. D. L. Case,	Mr. Ferry,	Mr. Pierce,
S. M. Case,	Fowler,	Root,
Chandler,	Gray,	Sexton,
Childs,	Gregory,	Shook,
Church,	Hart,	Turner,
David Clark,	Hitchings,	Wait,
Corbin,	Minne,	P. D. Warner,
Corrigan,	H. M. Moore,	Watkins,
Crane,	Patterson,	Speaker,
J. B. Eaton,		

28

NAYS.

Mr. Bacon,
Balscombe,
Barnes,
Beecher,
Britain. ●
Butterfield,
Darius Clark,
Clyburn,
Covert,
Crosmen,
Darling,

Mr. Earl,
L. Eaton,
Fitch,
S. C. Hall,
Hubbell,
Hyde,
Irvine,
Lawrence,
Martin,
Marvin,

Mr. Montgomery,
Shearer,
Sherwood,
Smith,
Stetson,
Truesdell,
Town,
Voorhies,
W. Warner,
Wheeler,

31

Mr. Hart then offered the following amendment:

Amend section 4 by striking out in line 4, the words "Kalamazoo, in the county of Kalamazoo," and inserting "Lansing, in Ingham county."

Mr. D. L. Case offered the following amendment to the amendment of Mr. Hart:

Strike out section 4, and insert, "the location of the Michigan asylum for the insane is hereby changed from Kalamazoo to Lansing, in the county of Ingham; and the board of trustees are hereby directed to meet at Lansing, on or before the first Monday of May next, and select a site for said asylum upon any land belonging to the primary school or State building fund, or upon such other land as may be donated for such purpose."

Adopted, by the following vote:

YEAS.

Mr. Baldwin,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Corrigan,
Covert,
Crosmen,
Darling,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fowler,
Gregory,
H. Hall,
Hart,
Hicks,
Hitchings,
Lawrence,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Root,
Shearer,
Smith,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker,

33

NAYS.

Mr. Balscombe,
Barnes,
Beecher,
Britain,

Mr. Earl,
Fitch,
Gray,
S. C. Hall,

Mr. Sexton,
Sherwood,
Shook,
Stetson,

Butterfield,
Calkins,
Childs,
Darius Clark,
Clyburn,
Crane,

Hyde,
Irvine,
Kimbealy,
Martin,
Marvin,
Pierce,

Truesdell,
Town,
W. Warner,
Watkins,
Wheeler,
Yocum,

30

Mr. Beecher then offered the following amendment:

Amend section 1 by striking out the words "an asylum," in the 5th line, and insert the following, viz: "asylums for the deaf and dumb and blind, and."

Lost.

Mr. Hyde moved the indefinite postponement of the whole subject

Lost, as follows:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Butterfield,
Chandler,
Darius Clark,
Corbin,
Ferry,

Mr. Gray,
S. C. Hall,
Hyde,
Irvine,
Martin,
Marvin,
Pierce,
Sexton,

Mr. Sherwood,
Shook,
Stetson,
Truesdell,
Voorhies,
W. Warner,
Yocum,

23

NAYS.

Mr. Baldwin,
Barnea,
Britain,
D. L. Case,
S. M. Case,
Church,
David Clark,
Corrigan,
Covert,
Crane,
Croaman,
Darling,

Mr. J. B. Eaton,
Fitch,
Fowler,
Gregory,
H. Hall,
Hart,
Hitchings,
Hubbell,
Kimberly,
Lawrence,
Minne,

Mr. Montgomery,
A. H. Moore,
H. M. Moore,
Patterson,
Root,
Shearer,
Smith,
Turner,
Wait,
P. D. Warner,
Speaker,

24

The question was then taken on the amendment offered by Mr. Beecher, and the same was lost, as follows:

YEAS.

Mr. Balcombe,
Baldwin,
Beecher,
Britain,
Butterfield,
Calkins,
Childs,

Mr. Crane
Ferry,
Gray,
Gulley,
Hicks,
Marvin,
A. H. Moore,

Mr. Sherwood,
Smith,
Stetson,
Truesdell,
Turner,
W. Warner,
Wheeler,

Darius Clark,
Clyburn,

Pierce,

Yocum,

25

NAYS.

Mr. Barnes,
D. L. Case,
S. M. Case,
Chandler,
Church,
David Clark,
Corbin,
Corrigan,
Covert,
Croaman,
J. B. Eaton,
L. Eaton,
Fitch,

Mr. Fowler,
Gregory,
H. Hall,
S. C. Hall,
Hart,
Hitchings,
Hubbell,
Irvine,
Kimberly,
Lawrence,
Martin,
Minne,

Mr. Montgomery,
Patterson,
Root,
Sexton,
Shearer,
Shook,
Town,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Speaker,

37

Mr. Hyde then moved to lay the bill on the table.

Lost, as follows:

YEAS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield,
Calkins,
Chandler,
Childs,
Clyburn,

Mr. Earl,
Fitch,
Gray,
Gulley,
S. C. Hall,
Hicks,
Hyde,
Irvine,
Martin,

Mr. Marvia,
Pierce,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
W. Warner,

26

NAYS.

Mr. Baldwin,
Barnes,
D. L. Case,
S. M. Case,
Church,
David Clark,
Corrigan,
Covert,
Crane,
Croaman,
Darling,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fowler,
Gregory,
H. Hall,
Hart,
Hitchings,
Hubbell,
Kimberly,
Lawrence,
Minne,
Montgomery,

Mr. A. H. Moore,
H. M. Moore,
Patterson,
Root,
Sexton,
Shearer,
Smith,
Turner,
Voorhies,
Waite,
P. D. Warner,
Speaker,

38

Mr. Pierce then offered the following amendment:

Strike out "ten," wherever it occurs before "thousand," and insert "five." Also strike out "twenty," where it occurs before "thousand," and insert the word "ten."

Adopted.

The bill was then ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Baldwin,
Barnes,
D. L. Case,
S. M. Case,
Church,
David Clark,
Covert,
Crane,
Crosman,
Darling,
J. B. Eaton,
L. Eaton,
Ferry,

Mr. Fowler,
Gregory,
H. Hall,
Hart,
Hicks,
Hitchings,
Hubbell,
Kimberly,
Lawrence,
Montgomery,
A. H. Moore,
H. M. Moore,

Mr. Patterson,
Root,
Sexton,
Shearer,
Smith,
Turner,
Voorhies,
Waite,
P. D. Warner,
Watkins,
Yocum,
Speaker,

37

NAYS.

Mr. Bacon,
Balcombe,
Beecher,
Britain,
Butterfield,
Calkins,
Chandler,
Childs,
Darius Clark,
Clyburn,

Mr. Corbin,
Corrigan,
Earl,
Fitch,
Gray,
S. C. Hall,
Hyde,
Irvine,
Martin,

Mr. Marvin,
Pierce,
Sherwood,
Shook,
Stetson,
Truesdell,
Town,
W. Warner,
Wheeler,

28

Mr. Bacon, from the committee of conference on the disagreement between the two houses on House bill to amend section two of an act to incorporate the Michigan mining company, approved March 30, 1848, reported that the committee had had the matter under consideration, recommended that the House concur in the Senate amendment to said bill, and asked that the committee be discharged.

The report was accepted, the committee discharged, the amendment concurred in by a two-thirds vote, and the bill as amended, ordered enrolled.

Mr. Bacon, from the committee on mines and minerals, to whom was referred

A bill to amend the second section of an act entitled an act to incorporate the Minnesota mining company, approved March 7, 1849,

Reported the same back without amendment, recommended its passage and ask to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Baldwin,
Barnes,
Beecher,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Church,
Darius Clark,
David Clark,
Clyburn,
Corrigan,
Covert,
Crosman,
J. B. Eaton,

Mr. L. Eaton,
Ferry,
Fitch,
Fowler,
Gulley,
Hart,
Hicks,
Hubbell,
Irvine,
Kimberly,
Martin,
Marvin,
Minne,
H. M. Moore,
Patterson,

Mr. Sexton,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Truesdell,
Town,
Turner,
Voorhies,
P. D. Warner,
Watkins,
Wheeler,
Yocum,
Speaker.

48

NAYS.

Mr. Calkins,
Childs,
Corbin,
Crane,

Mr. Darling,
Earl,
Gray,
Lawrence,

Mr. Montgomery,
A. H. Moore,
Root,
Waite,

12

The Speaker announced the following message from the Senate:

SENATE CHAMBER, }
Lansing, April 5, 1851. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House of Representatives,

A bill making appropriations to defray certain expenses authorized for the year 1851,

And respectfully inform the House that the Senate have passed the same to take effect immediately.

Very respectfully, &c.,

O. W. MOORE,

Sec'y of Senate

The bill was read the first and second time, when

Mr. Hyde offered the following amendment thereto:

Strike out in 24th line, "W. W. Phelps, engrossing and enrolling," and insert "D. P. Bushnell."

Mr. Britain offered the following amendment to the amendment;

Section 1, line 21, strike out all after "done" to and including "office," in line 27.

Adopted.

Mr. Hyde moved a reconsideration of the last vote.

Agreed to.

The amendment of Mr. Britain was then lost by the following vote

YEAS.

Mr. Barnes,	Mr. Hicks,	Mr. Sexton,
Britain,	Hitchings,	Smith,
Calkins,	Kimberly,	Truesdell,
Childs,	Lawrence,	Town,
Corbin,	Marvin,	Voorhies,
Crosman,	Patterson,	P. D. Warner,
H. Hall,	Pierce,	20

NAYS.

Mr. Bacon,	Mr. Fowler,	Mr. A. H. Moore,
Butterfield,	Fitch,	H. M. Moore,
D. L. Case,	Gray,	Root,
S. M. Case,	Gregory,	Shearer,
Chandler,	Gulley,	Shook,
Church,	S. C. Hall,	Stetson,
Darius Clark,	Hart,	Turner,
David Clark,	Hyde,	Waite,
Clyburn,	Irvine,	Watkins,
Corrigan,	Martin,	Yocum,
J. B. Eaton,	Minne,	Speaker,
L. Eaton,	Montgomery,	35

Mr. Hyde then moved the previous question.

Which was demanded.

And the question being taken, "Shall the main question be now put?" the same was agreed to.

The question was then taken on the amendment offered by Mr. Hyde, and the same was adopted.

The bill was then ordered to be read the third time, and under a suspension of the rule was so read and passed, as follows:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. A. H. Moore,
Balcombe,	L. Eaton,	Root,
Barnes,	Ferry,	Sexton,
Beecher,	Fitch,	Shearer,
Butterfield,	Fowler,	Sherwood,
D. L. Case,	Gray,	Shook,

S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Darling,
Earl,

Gregory,
Gulley,
H. Hall,
Hyde,
Irvine,
Lawrence,
Martin,
Minne,
Montgomery,

Smith,
Stetson,
Town,
Turner,
Waita,
W. Warner,
Watkins,
Yocum,
Speaker,

46

NAYS.

Mr. Baldwin,
Britain,
Calkins,
Covert,
Crosman,

Mr. S. C. Hall,
Hicks,
Hitchings,
Hubbell,
Marvin,

Mr. Patterson,
Pierce,
Truesdell,
Voorhies,
P. D. Warner, 15

The House then by a vote of two-thirds of all the members elected, ordered that said act take immediate effect.

A bill to amend sections 1, 3, 4, 6, 13, 17 and 19 of an act entitled an act to incorporate the St. Mary's Canal Company, approved March 17, 1847,

Was then ordered by the House to be read the third time, was so read and passed, by the following vote:

YEAS.

Mr. Bacon,
Balcombe,
Baldwin,
Barnes,
Beecher,
Britain,
Butterfield,
Calkins,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Church,
Darius Clark,
David Clark,
Clyburn,
Corbin,
Corrigan,
Covert,

Mr. Crane,
Darling,
Earl,
J. B. Eaton,
L. Eaton,
Ferry,
Fowler,
Gregory,
Gulley,
H. Hall,
S. C. Hall,
Hart,
Hicks,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,

Mr. Martin,
Marvin,
A. H. Moore,
H. M. Moore,
Patterson,
Pierce,
Root,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Voorhies,
Wait,
P. D. Warner,
Yocum,
Speaker,

55

NAYS.

Mr. Fitch,

Mr. Shearer,

Mr. Truesdell,

3

A bill to amend the 2d section of an act entitled an act to incorporate the Douglass Houghton Mining company, approved March 27, 1848,

Was also ordered to be read the third time, was so read and passed, by the following vote:

YEAS.

Mr. Bacon,	Mr. J. B. Eaton,	Mr. Root,	
Baldwin,	L. Eaton,	Shearer,	
Barnes,	Ferry,	Sherwood,	
Beecher,	Fitch,	Shook,	
Britain,	Gulley,	Smith,	
Butterfield,	S. C. Hall,	Stetson,	
D. L. Case,	Hart,	Turner,	
S. M. Case,	Hicks,	Voorhies,	
Chandler,	Hitchings,	Waite,	
Childs,	Hyde,	P. D. Warner,	
Church,	Irvine,	W. Warner,	
Darius Clark,	Kimberly,	Watkins,	
David Clark,	Lawrence,	Wheeler,	
Clyburn,	Martin,	Yocum,	
Crane,	H. M. Moore,	Speaker,	45

NAYS.

Mr. Corbin,	Mr. Marvin,	Mr. Pierce,	
Gregory,	Patterson,	Town,	
H. Hall,			7

A bill making appropriations for the salaries of State officers for the years 1851 and 1852,

Was then taken up; when

Mr. Britain offered the following amendment thereto, viz:

Sec. 1, line 11, strike out "seven," and insert "six."

Sec. 1, line 12, strike out "six," and insert "five."

Sec. 1, line 13, strike out "and for eight days thereafter."

Sec. 1, line 15, strike out all after "each," and insert "for compensation of extra clerks in Auditor Generals office, a salary at the the rate of four hundred and fifty dollars a year each."

The amendments were severally adopted.

The bill was then ordered to a third reading, was so read and passed by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. A. H. Moore,
Barnes,	J. B. Eaton,	H. M. Moore,
Beecher,	L. Eaton,	Pierce,

Britain,
Butterfield,
D. L. Case,
S. M. Case,
Chandler,
Childs,
Darius Clark,
David Clark,
Corbin,
Covert,
Darling,

Fitch,
Ferry,
S. C. Hall,
Hart,
Hitchings,
Hyde,
Irvine,
Kimberly,
Lawrence,
Martin,
Minne,

Root,
Shearer,
Sherwood,
Shook,
Smith,
Stetson,
Town,
Turner,
Waite,
Wheeler,
Speaker,

42

NAYS.

Mr. Fowler,
Marvin,

Mr. P. D. Warner,

Mr. Yocum,

4

A bill relating to the State library,

Was then ordered to be read the third time, was so read and passed by the following vote:

YEAS.

Mr. Bacon,
Britain,
Butterfield,
D. L. Case,
Childs,
Church,
Darius Clark,
David Clark,
Corbin,
Corrigan,
Covert,
Crane,
Darling,

Mr. L. Eaton,
Ferry,
Fowler,
Gregory,
Gulley,
H. Hall,
Hart,
Hicks,
Hubbell,
Hyde,
Irvine,
Martin,
Minne,

Mr. A. H. Moore,
H. M. Moore,
Root,
Shearer,
Sherwood,
Shook,
Stetson,
Turner,
Voorhies,
Waite,
P. D. Warner,
Yocum,
Speaker,

39

NAYS.

Mr. S. M. Case,
Crosman,
J. B. Eaton,

Mr. S. C. Hall,
Lawrence,

Mr. Marvin,
Truesdell,

7

Mr. Root offered the following resolution:

Resolved, That the thanks of this House be and they are hereby presented to the Hon. Jefferson G. Thurber, its Speaker, for the able manner in which he has discharged the laborious duties of his office during the present session.

Adopted unanimously.

Mr. P. D. Warner offered the following resolution:

Resolved, That the thanks of this House are due, and are hereby

tendered to Daniel P. Bushnell, Esq., for the prompt, efficient and courteous manner in which he has discharged the duties of Clerk of this House during its present session.

Mr. Irvine moved to amend the resolution so that it should read "and also to Wm. W. Phelps for the able and efficient manner in which he has discharged the laborious duties of Enrolling and Engrossing Clerk."

Adopted.

And the resolution as amended was adopted unanimously.

The hour of 12 Meridian having arrived, at which it had been previously agreed by a concurrent resolution of the two Houses to adjourn, the Speaker, after thanking the House for the compliment tendered to him so unanimously, announced that the House stood adjourned without day.

The following was received and ordered entered on the journal of the last day's proceedings:

HALL OF HOUSE OF REPRESENTATIVES, }
Lansing, April 7, 1851. }

We hereby certify that, in compliance with "joint resolution relative to enrolled bills and resolutions which may not be reported before the final adjournment of the Legislature," approved April 5th, 1851, the following acts were severally enrolled, examined, signed and presented to the Governor after the final adjournment of the Legislature:

An act to amend sections one, two and three of chapter ninety-five of the revised statutes of 1846;

An act to provide for the government of the State University, and to repeal chapter 57 of the revised statutes of 1846;

An act to amend chapter 12 of the revised statutes of 1846;

An act to provide for the completion of the canal and locks around the rapids of Grand river at Grand Rapids; and

An act to amend the charter of the village of Niles.

JEFF. G. THURBER, *Speaker H. Reps.*
WM. M. FENTON, *President Senate.*

STATEMENT of the Clerk of the House of Representatives relative to the Protest of the Hon. Mr. Pierce.

Pursuant to instructions from the presiding officer of the House of Representatives, given to the undersigned in obedience to an order of the House, made on the motion of the Hon. Mr. Hart, on the 5th inst., a representative from the county of Lapeer, the undersigned has prepared the following statement of facts explanatory of the matter referred to in the protest of the Hon. Mr. Pierce, a representative from the county of Calhoun, and appended the same to the Journal of the proceedings of the House of Representatives, as required by said order. The main facts appear in the following communication on page 527, House Journal:

HOUSE OF REPRESENTATIVES, }
Lansing, April 2, 1851. }

To the House of Representatives:

I have been instructed by the Speaker of the House of Representatives, under the authority of a resolution adopted by the House on yesterday, to state the facts in regard to the action of the House upon the bill directing the publication of a statement of lands to be sold in Cass county in 1851.

The bill was passed by the House on the 27th ult., by a vote of 41 to 20; after which, the question was taken according to the practice of the House during this session, on bills required to take immediate effect, "will the House direct that this act shall take effect immediately?" which was decided in the negative, two-thirds of all the members elected not voting therefor. The bill was transmitted to the Senate on the same day, and returned on the 29th ult., and the House informed that the Senate had directed by the constitutional vote, that said act should take effect immediately.

The question was then distinctly stated by the Chair, in substance, "will the House concur in the Senate amendment to the bill, which amendment is to add a new section thereto, directing that it shall take effect immediately," and was decided affirmatively, by an almost unanimous vote; and the bill as amended was ordered enrolled. The enrolling committee filed a report with the clerk the same day, of its correct enrollment; which report was entered on the journal of the 29th.

It has been the usual practice of this committee to report through their chairman to the House, although it was seldom done at the last session of the Legislature, and the practice has been departed from on several occasions during this session, and their report filed with the clerk and entered on the record, without any other announcement being made to the House.

It is proper to add that an error appears in the printed copy of the journal of that day, as laid on the tables of members, as no action appears therein to have been taken by the House on the question; but the error was discovered immediately by the clerk, the correction made, and the precise action of the House will appear in the published journal of its proceedings.

Respectfully,

D. P. RUSHNELL,

Clerk of House of Rep's.

The provision of the revised constitution in regard to the time when public acts take effect, is found in Article 4, entitled Legislative Department, last clause of section 20, and is as follows:

"No public act shall take effect or be in force until the expiration of ninety days from the end of the session at which the same is passed, unless the Legislature shall otherwise direct by a two-thirds vote of the members elected to each House."

This being a new provision, the two Houses at the present session, adopted the following joint rule, viz:

"Rule 12. Whenever both Houses, by the constitutional vote, direct that any act or resolution shall take effect immediately, or at any time less than ninety days, a proviso shall be added thereto at the enrollment of the same, in words to this effect: "this act (or resolution) shall take effect immediately, (or in ——— days.""

The practice of the House has been uniform under the provisions of the constitution and the foregoing rule, to take the question separately on ordering a bill to take effect at any other time than that specified in the constitution.

It appears by House Journal, March 29, page 438, the House passed the bill in question by a constitutional vote, 41 to 20; after which the question was taken separately on its taking immediate

effect, and negatived, two-thirds, of all the members elected not voting therefor. Consequently, if the bill, when transmitted to the Senate, contained any such provision, it would have been negatory, merely, and if the Senate and House had not subsequently agreed thereto, it would have been stricken out at the enrollment thereof, under the joint rule above cited.

The fact that the bill was passed by the House, in the first instance by a majority vote and not ordered to take effect immediately, not only appeared in the message transmitting it to the Senate, but the bill itself was certified on the back thereof by the Speaker of the House of Representatives as passed by a majority vote. No one, then, could have been deceived thereby, and if no further action had been had on that provision, the records of the two Houses would have shown that the act was not ordered to take effect immediately; and even if it had been enrolled with such a section thereto, (as would not have been done,) it would have been inoperative, merely for the plain reason that it had not been passed by a two-thirds vote of all the members elected to each House.

The joint rule before quoted construes the constitutional provision relative to the time when an act shall go into effect, as authorizing the question to be taken separately from the passage of the bill; and, as before stated, such has been the uniform practice of the House; and it has frequently occurred in both Houses, that a majority have passed and two-thirds ordered that the bill or resolution should take effect immediately, or at some other time than that specified in the constitution.

The proceedings in the Senate on the bill mentioned in the protest show that that body was advised of the facts in relation thereto. They ordered it to take effect immediately, and so advised the House in their message transmitting the same, and the House concurred therein. (See House Journal of 29th March, page 474.) So that that provision in the constitution was complied with in the most direct manner, and the enrollment of the bill authorized by the joint rule No. 12.

The Senate order that the bill should take immediate effect, was equivalent to an amendment to the bill as passed by the House, and the statement thereof being distinctly made by the Speaker, the

question was decided on a division, by nearly an unanimous vote, the protestant himself rising in his place and voting on the affirmative side thereof.

The decision of the House was distinctly announced from the chair, the bill ordered enrolled, and no one dissented; the bill duly reported under the House rule No. 38, as correctly enrolled, signed and presented to the Governor, and he advised the House of his approval thereof on the 31st inst.

A brief summary of the facts, then, as they occurred and appear by the record, show that the bill went through the usual stages in the House, and was finally passed by 41 votes, a constitutional majority; but that after its final passage two-thirds of all the members elected did not vote to have it take effect immediately; that under the authority of joint rule 3, it was regularly transmitted to the Senate and that body duly advised of the action of the House thereon, that it passed through the usual stages in the Senate, was returned to the House; the House duly advised of its passage by the Senate, and that that body had, by a vote of two-thirds of all the Senators elect, ordered that it take immediate effect, which order of the Senate was duly stated to the House, the question taken thereon and the order concurred in by an almost unanimous vote: it was regularly reported by the enrolling committee as required by House rule 38, as correctly enrolled, signed and presented to the Governor, who approved it on the 31st inst., and it became a law.

The action of both Houses seems therefore to have been entirely regular and legal, throughout, and the assumptions in the protest without foundation in fact.

D. P. BUSHNELL,

Clerk House of Representatives.

HOUSE OF REPRESENTATIVES, }
Lansing, April 5, 1861. }

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